INDEX TO MADRAS LEGISLATIVE ASSEMBLY DEBATES

DIRECTOR OF AGRICULTURE
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PERSONNEL OF THE GOVERNMENT OF MADRAS.

GOVERNOR OF MADRAS.

HIS EXCELLENCY LORD ERSKINE, G.C.I.E. Took his seat on the 15th November 1934.

COUNCIL OF MINISTERS.

1. THE HON. SRI C. RAJAGOPALACHARIAR, Prime Minister. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

A. CHIEF SECRETARIAT (PUBLIC DEPARTMENT).

Provincial subjects—

Agency tracts.
Assumption of office by Governor.
Business and Secretariat Rules.
Business of Government—Distribution among Departments of the Secretariat.
Cabinet—Arrangements for meetings.
Civil Lists—Preparation.
Committees and conferences not pertaining to any other department of the Secretariat.
Correspondence—Objectionable—Censorship.
Criminal Investigation Department—Other than establishment.
Elections to the Provincial legislature including election offences and disputed elections.
Examinations—Government—Departmental—Board of Examiners.
Foreign Governments and Indian States—Correspondence with.
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Government House—
(i) Establishments—
Band.
Bodyguard.
Governor's Secretary's office.
Medical.
Military Secretary's office.
(ii) Grants—
Contract.
Furniture.
Sumptuary.
Tour.
(iii) Personal staff of the Governor.

A. Chief Secretariat (Public Department)—*cont.*

Provincial subjects—cont.

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(iv) Works—

Construction.

Maintenance and furnishing.

Government Servants' Conduct Rules.

Handbook of Procedure and Precedents.

High Court Judges—Leave.

Holidays.

Indian Civil Service (including annuities) and listed posts.

Internal Security.

Islands—Laccadives, Amindivi and Minicoy.

Judicial and Executive functions—Separation of.

Land returns—General questions.

Legislative bodies (other than Madras)—Proceedings—Marking of subjects for the perusal of Members of Government.

Legislative Council and Legislative Assembly.

Madras Public Service Commission.

Magistrates (other than Honorary)—Suspension, removal, etc.

Ministers—Appointments and resignation.

Newspapers and Periodicals—Perusal of.

Office procedure.

Officers—European—Casualty report.

Ootacamund, Stonehouse Hill—Move to and from.

Petition Rules.

Political Handbook.

Political offences—Prosecutions.

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Darbari Zamindars.

Prisoners, State.

Provincial works and buildings under the administrative control of the Chief Secretary.

Public Peace—Disturbance of.

Public Services—

Communal representation—General questions.

General questions and commissions of enquiry.

Notification (including exemptions).

Revised scales of pay.

Service associations.

Services under the control of the Local Government—

Statutory rules to regulate the method of recruitment, conditions of service, pay, allowances and pension—General revision and amendments of existing rules.

Special tests—General questions and exemptions.

Statutory Rules and Orders—

Civil Services (Classification, Control and Appeal) Rules.

Superior Civil Services Rules.

A. Chief Secretariat (Public Department)—*cont.*

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Subordinate Services—

Discipline and Appeal Rules.

Passage Rules.

Railway lands—Jurisdiction.

Religious or communal disputes.

Reports—

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Matters of political and administrative importance.

Returns—Next of kin.

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Central Issue Branch.

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Manual.

Telegrams—Reuters and News Agency.

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Distinguished foreigners.

Flag Officer, Commanding Royal Indian Navy.

Governors of other provinces.

Indian Chiefs.

Naval Commander-in-Chief.

Viceroy.

Warships, British and foreign.

Concurrent subjects—

Periodicals, Newspapers, Books and printing presses—Control of.

Federal subjects—

Conduct of elections to the Federal legislature including election offences and disputed elections.

Consuls—

British.

Foreign.

Council of State—Nomination of members.

Defence of India—

Army in India Reserve of Officers.

Auxiliary and Territorial forces.

Ex-army men.

Movement of troops.

Naval, military and air forces in India.

Ecclesiastical affairs.

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Federal Public Services.

Federal Public Service Commission.

French Settlements in India.

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A. Chief Secretariat (Public Department)—*cont.*

Federal subjects—cont.

Naval, military and air force works.
Political charges.
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Preventive detention for reasons of State connected with defence, external affairs or the discharge of the functions of the Crown.
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Regulation of ceremonials, titles, orders, precedence and civil uniform.
Relations with States in India.
Territorial Changes.

B. *Home Department.*

Provincial subjects—

Police including C.I.D. (Establishment), railway police and village police.
Provincial works and buildings under the administrative control of the Police Department.

Concurrent subjects—

Persons subject to preventive detention under Federal authority.

Federal subjects—

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Police—Extension of the powers and jurisdiction of members of a Police force belonging to any part of British India, to any area, in another Governor's province or Chief Commissioner's province, and the extension of the powers and jurisdiction of the members of a Police force belonging to any unit to railway areas outside that unit.

C. Finance Department.

Provincial subjects—

Accounts, Provincial (including classification and prescription of units).
Annual financial statement (Budget).
Appropriation Accounts and Auditor-General's report thereon.
Audit of receipts and accounts of stores and stock.
Commercial accounts.
Economies in expenditure.
Famine Relief Fund.
Financial Rules.
Fundamental Rules (including Revised Leave Rules).
Loans and Advances.
Local Fund Audit.

C. Finance Department—*cont.*

Provincial subjects—cont.

Provincial balances.
Public Debt of the Province including borrowings from the Government of India.
Reappropriations.
Re-employment of civil pensioners.
Secretariat—Cash Bureau.
Service Pensions including Provident Funds but not including Indian Civil Service Annuities.
Supplementary Statements of expenditure.
Taxation and allied measures—Initiation of.
Travelling allowance rules.
Treasury Rules.
Ways and Means.

Federal subjects—

Corporation Tax.
Currency, coinage and legal tender.
Federal pensions, that is to say, pensions payable by the Federation or out of Federal revenues.
Federal taxes and duties in which the Provinces are interested, such as Income-tax, Federal excises, etc.
Indian Audit and Accounts Service examination.
Post Office Savings Bank.
Public Debt of the Federation.

2. The Hon. Sri T. PRAKASAM, Minister for Revenue. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Provincial subjects—

Betting Tax Act.
Board of Revenue (general).
City Tenants' Protection Act.
Constitution of districts, divisions and taluks.
Court of Wards and Zamindars—
Impartible Estates Act.
Deputy Collectors.
District Gazettes and Gazetteers.
Duties in respect of succession to agricultural land.
Estates Land Act.
Famine relief.
Floods.
Inams.
Irrigation (minor works)—
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Navigation.
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Alienation of land revenue.

Assessment and collection of land revenue.

Colonization and disposal of Crown lands.

Establishment.

Land improvement and agricultural loans.

Laws regarding land tenures—Easements—Relations of landlord and tenant—Collection of rents—Transfer and devolution of agricultural land.

Maintenance of land records—Survey for revenue purposes—Records of rights.

Management of Government estates.

Miscellaneous.

Revenue Recovery Act.

Lands—

Acquisition.

Alienation.

Assignment.

Encroachment.

Land records.

Military lands.

Railway lands.

Transfer of lands between Central and Provincial Governments.

Malabar Tenancy Act.

Pensions—Hereditary not being political.

Pounds and prevention of cattle trespass.

Procedure in rent and revenue courts.

Provincial works and buildings under the administrative control of the Land Revenue and Registration Departments.

Registration.

Sale of Cloth Act.

Season.

Settlement—Kistbandi.

Special funds.

Stamp duty on documents—Rates of.

Survey—Boundary disputes.

Taxes on agricultural income.

Transfer of villages.

Treasure trove.

Treasuries.

Village accounts.

Village establishments.

Water-supply.

Yeomiahs.

Concurrent subjects—

Recovery in a Governor's province or a Chief Commissioner's province of claims in respect of taxes and other public demands, including arrears of land revenue and sums recoverable as such, arising outside that province.

Registration of deeds and documents.

Stamp duties other than duties or fees collected by means of judicial stamps, but not including rates of stamp duty.

Federal subjects—

Duties in respect of succession to property other than agricultural land.

Excise duties on tobacco and other goods manufactured or produced in India except those assigned to the province.

Lands vested in or in the possession of His Majesty for the purposes of Federation.

Opium so far as regards cultivation and manufacture or sale for export.

Salt.

Stamp duty—Rates of in respect of bills of exchange, cheques, promissory notes, bills of lading, letters of credit, policies of insurance, proxies and receipts.

Survey of India.

3. The Hon. Mr. YAKUB HASAN, Minister for Public Works. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Provincial subjects—

Canals—Irrigational and navigable.

Drainage and embankments, water-storage and water-power.

Gas and gas works.

Hydro-electric schemes.

Inland waterways and traffic thereon.

Irrigation—Major works.

Isolated tombs of European Government servants and their families including isolated tombs of historical or archæological interest and of British soldiers, non-commissioned officers and their families.

Minor ports.

Minor railways, light and feeder railways.

Provincial works and buildings under the administrative control of the Public Works and Electricity Departments.

Public works (roads, bridges, ferries, ropeways, etc.).

Railway—Accidents.

Rivers—Conservancy.

Taxes on boats.

Tramways—Extra municipal.

Concurrent subjects—

Boilers.

Electricity.

Shipping and navigation on inland waterways as regards mechanically propelled vessels, carriage of passengers and goods on inland water-ways.

Federal subjects—

Air craft and air navigation; regulation and organization of air traffic and of aerodromes.

Carriage of passengers and goods by sea, or by air.

European cemeteries.

Lighthouses, including light ships and beacons.

Major ports—Constitution and powers of port authorities therein.

Marine—Maritime shipping and navigation, including shipping and navigation on tidal waters; admiralty jurisdiction

Port quarantine and marine hospitals.

Posts and telegraphs, including telephones, wireless, broadcasting, and other like forms of communication.

Railways other than minor railways—Construction and regulation.

Taxes on railway fares and freights.

Terminal taxes on goods or passengers carried by railway, water or air.

Works and buildings vested in or in the possession of His Majesty for the purposes of the Federation.

4. THE HON. DR. P. SUBBARAYAN, Minister for Education and Legal Departments. Took his seat on the 30th July 1937 and is in charge of the following portfolios:—

A. EDUCATION.

Provincial subjects—

Appeals from educational staff employed under local boards and municipal councils.

Books—

Copyright—

Registration of.

Books and periodicals—Questions relating to their purchase and supply to public offices.

Certificate of age and qualification.

Civil Orphan Asylum.

Education including European and Anglo-Indian education and educational questions relating to the Corporation of Madras and local bodies.

Examinations except Public Service Notification and Board of Examiners.

Government Presses.

Libraries.

A. Education—*cont.*

Provincial subjects—cont.

Literary, scientific, religious and other societies and associations.

Liveries and clothing.

Madras Record Office.

Museums.

Preservation and translation of ancient manuscripts.

Provincial gazetteers.

Stationery and printing.

Translators to Government.

Zoological gardens.

Concurrent subjects—

Legal, medical and other professions.

Federal subjects—

Ancient and historical monuments.

Archæology and Epigraphy.

Copyright.

Federal agencies and institutes for research, for professional or technical training, or for the promotion of special studies.

The Imperial Library, the Indian Museum and any other similar institution controlled or financed by the Federation.

B. Legal.

Acts.

Advising Government—

(*a*) in matters of litigations, appeals, etc.;

(*b*) on legal questions which are not of sufficient importance to necessitate a reference to the Advocate-General.

Bills, non-official—Scrutiny of.

Government Bills—Drafting and scrutiny.

Law Officers—References to.

Legal assistance to Government servants.

Legal and legislative publications, such as Codes, Acts, Burials and burial grounds other than European cemeteries, Manuals, etc.

Legislation—Secretariat work connected with.

Legislature—Rules of procedure and standing orders of—Scrutiny.

Notifications—Scrutiny of.

Subsidiary legislation, viz., Statutory Rules and Orders (other than Service Rules) and generally assist other departments in all matters of a legal nature that may be referred to it.

5. The Hon. Dr. T. S. S. RAJAN, Minister for Public Health. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Provincial subjects—

Adulteration of foodstuffs and other articles.

Appeals from medical and public health staff employed under local boards and municipal councils.

Provincial subjects—cont.

Choultries.
Fairs.
Hospitals and dispensaries.
Inns and inn-keepers.
Langarkhanas including Triplicane Poor House.
Medical Administration, including medical questions relating to the Corporation of Madras and local bodies.
Pilgrimages within British India.
Places of Public Resort Act.
Provincial works and buildings under the administrative control of the Public Health Department.
Public Health, including public health questions relating to the Corporation of Madras and local bodies.
Registration of births, deaths and marriages.
Religious and charitable endowments.
Sanitation.
Stores—Rules and general questions.
Town-planning.
Vital statistics.

Concurrent subjects—

Health insurance, including invalidity pensions; old age pensions.

Lunacy and lunatic asylums.

Prevention of the extension from one unit to another of infectious or contagious diseases affecting men.

6. THE HON. SRI V. I. MUNISWAMI PILLAI, Minister for *Agriculture and Rural Development. Took his seat on the 14th* July 1937 and is in charge of the following portfolios:—

A. DEVELOPMENT DEPARTMENT.

Provincial subjects—

Agriculture including agricultural education.
Agricultural statistics.
Cinchona.
Cottage Industries.
Fisheries.
Forests, including ryots' and panchayat forests.
Money-lending and money-lenders.
Protection of wild animals and birds.
Provincial works and buildings under the administrative control of the Agriculture, Cinchona, Fisheries, Forest and Veterinary Departments.
Rural indebtedness.
Statistics for purposes of provincial matters.
Veterinary department including Veterinary Education.
Weights and measures.

A. DEVELOPMENT DEPARTMENT—*cont.*

Concurrent subjects—

Prevention of the extension from one unit to another of infectious or contagious diseases or pests affecting animals or plants.

Statistics for the purpose of any of the matters in the concurrent field.

Federal subjects—

Botanical survey.

Census.

Fishing and fisheries beyond territorial waters.

Meteorology—Federal organizations.

Standards of weight.

Statistics for the purpose of any of the Federal matters.

Zoological survey.

B. REVENUE DEPARTMENT.

Provincial subjects—

Excise duties on the following goods manufactured or produced in India—

(*a*) Alcoholic liquors for human consumption.

(*b*) Opium, Indian hemp and other narcotic drugs and narcotics; non-narcotic drugs.

(*c*) Medicinal and toilet preparations containing alcohol, opium, etc.

Production, manufacture, possession, transport, purchase and sale of intoxicating liquors, opium and other drugs and narcotics.

Provincial works and buildings under the administrative control of the Excise Department.

7. THE HON. SRI V. V. GIRI, Minister for Industries and Labour. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Provincial subjects—

Co-operative Societies.

Depressed classes and labour.

Development of industries other than cottage industries.

Economic conditions including wages and prices (not famine relief).

Marketing.

Mines and oil-fields and development of mineral resources.

Provincial works and buildings under the administrative control of the Co-operative, Industries and Labour Departments.

Taxes on mineral rights.

Trade and commerce.

Unemployment; relief of the poor.

Unincorporated trading associations.

Concurrent subjects—

Contracts, including partnership, agency, contracts of carriage and *other special forms of contract.*

Factories.

Indian Partnership Act.

Industrial and Labour disputes.

Trade unions.

Unemployment insurance.

Welfare of labour—

Employer's liability and workmen's compensation.

Provident funds.

Federal subjects—

Banking—Conduct of banking business by corporations.

Cheques, bills of exchange, promissory notes and other like instruments.

Corporations—Incorporation, regulation and winding up of trading corporations, including banking, insurance and financial corporations but not including co-operative societies.

Customs duties including export duties.

Development of industries where development under Federal Control is declared by Federal Law to be expedient in the public interest.

Emigration and immigration in their relation to Labour.

Geological survey.

Import and export across customs frontiers.

Indian Companies Act.

Insurance—The Law of insurance and the conduct of insurance business.

Inventions, designs, trade marks and merchandise marks.

Mines and oil-fields and mineral development—Regulation of (to the extent to which such regulation and development under Federal Control is declared by Federal Law to be expedient in the public interest) and regulation of labour and safety in mines and oil-fields.

Provident insurance societies.

Repatriation, in its relation to Labour.

Tariffs.

Taxes on the capital of individuals or of companies.

8. THE HON. SRI S. RAMANATHAN, Minister for Public Information. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Publicity—General.

Publicity—Free or concessional supply of Government publications.

Presidency Administration Report.

9. THE HON. SRI K. RAMAN MENON, Minister for Courts and Prisons. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Provincial subjects—

Administration of justice, civil and criminal, including constitution, jurisdiction, powers, maintenance and organization of courts within the province—
- Additional and Assistant Sessions Judges.
- Bench Courts.
- Civil Courts including High Courts.
- Civil Rules of Practice.
- Criminal appeals.
- Criminal justice report.
- Criminal powers.
- Criminal Rules of Practice.
- Honorary Magistrates.
- Presidency Magistrates and Courts.
- Remission and Commutation of sentences.

Betting and gambling—except State lotteries.
Breach of Contract Act.
Carbide of Calcium.
Child Marriage Restraint Act.
Children Act.
Cinematograph Act.
Civil Law.
Control of motor vehicles—
- Motor Vehicles Act.

Control of vehicles other than mechanically propelled vehicles.
Coroners.
Criminal lunatics.
Discharged Prisoners Aid Society.
Escheats.
Hackney Carriages Act.
Immoral Traffic.
Indian Bar Councils Act.
Jails—
- Borstal institutions.
- Jails and sub-jails.
- Prisoners' homes.
- Reformatories.

Justice of Peace.
Kazis Act.
Law officers.
Madras Motor Vehicles Taxation Act.
Malabar and Rampa Rebellion prisoners.
Petitions for mercy from sentences of death.
Petitions from convicts including Port Blair convicts.
Preventive detention and persons subject to such detention.
Prisoners.

Provincial subjects—cont.

Prisons Act and rules thereunder.

Provincial law reports.

Provincial works and buildings under the administrative control of the Jail and Judicial Departments.

Stage Carriages Act.

Theatres, dramatic performances and cinematographs.

Towns Nuisances Act.

Village Courts Act.

Concurrent subjects—

Administrator-General and Official Trustee.
Adoption.
Arbitration.
Bankruptcy and insolvency.
Cinematograph films for exhibition.
Civil Procedure including the law of Limitation and all matters included in the Code of Civil Procedure at the date of the passing of the Government of India Act, 1935.
Criminal law including all matters included in the Indian Penal Code at the date of the passing of the Government of India Act, 1935.
Criminal Procedure including all matters included in the Code of Criminal Procedure at the date of the passing of the Government of India Act, 1935.
Criminal tribes.
European Vagrancy Act.
Evidence and oaths.
Indian Christian Marriage Act.
Indian Poisons Act.
Infants and minors.
Insolvency Act and Rules.
Jurisdiction and powers of all courts except the Federal Court, with respect to any of the matters in the concurrent legislative list.
Marriage and Divorce.
Mechanically propelled vehicles.
Poisons and dangerous drugs.
Prevention of Cruelty to Animals Act.
Prisoners and accused persons—Removal from one unit to another unit.
Recognition of laws, Public Acts and records and judicial proceedings.
Royal Humane Society.
Transfer of property other than agricultural land.
Trusts and Trustees.
Wills, intestacy and succession save as regards agricultural land.

Federal subjects—

Admission into, and emigration and expulsion from, India, including in relation thereto the regulation of the movements in India of persons who are not British subjects domiciled in India, subjects of any Federated State, or British subjects domiciled in the United Kingdom (excluding emigration and immigration in their relation to Labour).

Arms, firearms, ammunition and explosives.

Extradition including the surrender of criminals and accused persons to parts of His Majesty's Dominions outside India.

Foreign missions.

Migration within India.

Naturalization.

Passports including certificates of identity and visas.

Petroleum and other liquids and substances declared by Federal law to be dangerously inflammable so far as regards possession, storage and transport.

Pilgrimages to places beyond India including Hedjaz.

Repatriation except in its relation to Labour.

State lotteries.

10. THE HON. SRI B. GOPALA REDDI, Minister for Local Administration. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Provincial subjects—

Appeals from employees of local boards and municipal councils other than educational, medical and public health staff.

Capitation taxes, taxes on professions, trades, callings and employments.

Cesses on the entry of goods into a local area.

Charities and charitable institutions.

Corporation of Madras.

Local boards—General administration and all matters relating to them not specifically assigned to other departments.

Local bodies—Audit reports of.

Local self-government including village administration and panchayats.

Markets.

Monigar Choultry.

Municipal councils—

General administration and all matters relating to them not specifically assigned to other departments.

Taxes on animals.

Taxes on land and buildings, hearths and windows.

Taxes on luxuries, including taxes on entertainments, amusements, betting and gambling.

Taxes on the sale of goods and on advertisements.

Tolls.

Tramways within municipalities.

Federal subjects—

Local self-government in cantonment areas.

THE MADRAS LEGISLATIVE ASSEMBLY

PRINCIPAL OFFICERS.

Speaker.

THE HON. SRI B. SAMBAMURTI.

Deputy Speaker.

MRS. A. RUKMINI LAKSHMIPATHI.

Panel of Chairmen.

1 RAO BAHADUR SIR A. T. PANNIR SELVAM.
2 SRI VEMULA KURMAYYA.
3 MRS. KHADIJA YAKUB HASAN.
4 SRI K. BHASHYAM AYYANGAR.

Secretary.

SRI DIWAN BAHADUR R. V. KRISHNA AYYAR, B.A., M.L.

Assistant Secretary.

SRI M. SURYA RAO, B.A., B.L.

ALPHABETICAL LIST OF MEMBERS OF THE MADRAS LEGISLATIVE ASSEMBLY.

	Name of member.	Name and class of constituency.
1	Abdul Hameed Khan ..	Madras City, Muhammadan, Urban.
2	Abdur Rahman Ali Rajah, Arakal Sultan.	Chirakkal, Muhammadan, Rural.
3	Abdur Rahiman Khan, K. ..	Kurnool, Muhammadan, Rural.
4	Abdul Rawoof, D.	Bellary, Muhammadan, Rural.
5	Adikesavulu Naicker, P. M. ..	Madras City North, General, Urban.
6	Adimoolam, Jamedar ..	Ranipet, General, Rural (Scheduled Castes).
7	Ahmed Badsha Sahib, M. ..	North Arcot, Muhammadan, Rural.
8	Ahmad Thambi Muhammad Mohideen Maracair (*Parliamentary Secretary*).	Tanjore, Muhammadan, Rural.
9	Ammanna Raja, Srimathi G.	Ellore Town, Women, General, Urban.
10	Anantachar, B.	Hospet, General, Rural.
11	Anjalai Ammal, Srimathi ..	Cuddalore, Women, General, Rural.
12	Annamalai Pillai, N.	Tiruvannamalai, General, Rural.
13	Appadurai Pillai, Diwan Bahadur A.	Madras *cum* Chingleput, Indian Christian.
14	Ari Gowder, H. B.	The Nilgiris, General, Rural.
15	Arunachalam Chettiyar, Muthu. Kr. Ar. Kr.	Sivaganga, General, Rural.
16	Attakoya Thangal, Khan Bahadur P. M.	Calicut, Muhammadan, Rural.
17	Balakrishna, S. C.	Palni, General, Rural (Scheduled Castes).
18	Bapineedu, M. (*Parliamentary Secretary*).	Ellore, General, Rural.
19	Basheer Ahmed Sayeed ..	Chingleput *cum* South Arcot, Muhammadan, Rural.
20	Bhaktavatsalam, M. (*Parliamentary Secretary*).	Tiruvallur, General, Rural.
21	Bhakthavathsalu Nayudu, B.	Ranipet, General, Rural.
22	Bhashyam Ayyangar, K. ..	Chingleput, General, Rural.
23	Bhaskara Rao Mahasayo, Sriman Y. V. A.	Palkonda, General, Rural.
24	Bhuvarahan, V.	Tanjore *cum* Kumbakonam Towns, General, Urban.
25	Bower, I.S.O., E. H. M. ..	Anglo-Indian.
26	Buchappa Nayudu, P. ..	Ongole, General, Rural.
27	Chandramouli, K.	Tenali, General, Rural.

Name of member.	Name and class of constituency.
28 Chandu, Arangil	Calicut, General, Rural.
29 Chelvapathi Chetti, G. ..	Textile Workers' Trade Union (Madras), Labour.
30 Chengam Pillai, O.	Tiruvallur, General, Rural (Scheduled Castes).
31 Chidambara Ayyar, S. ..	Villupuram, General, Rural.
32 Chinnamuthu, P.	Koilpatti, General, Rural (Scheduled Castes).
33 Chokkalingam Pillai, T. S. ..	Tinnevelly, General, Rural.
34 Damodaram, M. P.	Kottayam, General, Rural.
35 D'Mello, E. M.	Anglo-Indian.
36 Doraikannu, M.	Tiruttani, General, Rural (Scheduled Castes).
37 Doraiswami Nadar, A. R. A. S.	Tuticorin, General, Rural.
38 Ghouse Mohideen, S.	Cuddapah, Muhammadan, Rural.
39 Giri, The Hon. Sri V. V. (*Minister*).	Bobbili, General, Rural.
40 Gopala Reddi, The Hon. Sri B. (*Minister*).	Kavali, General, Rural.
41 Govinda Doss, D.	Bellary, General, Rural (Scheduled Castes).
42 Govindan Nayar, C. K. ..	Kurumbranad, General, Rural.
43 Gupta, V. J.	Vizagapatam, General, Rural.
44 Guruvulu, Saheti	Chicacole, General, Rural (Scheduled Castes).
45 Halasyam Ayyar, N.	Trichinopoly, General, Rural.
46 Hodgson, G. H.	European Commerce, the Madras Chamber of Commerce and the Madras Trades Association.
47 Hussain, H. S.	Mangalore, Muhammadan, Rural.
48 Isaac, D. R.	Northern Circars, Indian Christian
49 Ishwara, K.	Coondapoor, General, Rural (Scheduled Castes).
50 Jebamoney Masillamoney, Mrs.	Tinnevelly *cum* Palamcottah *cum* Tuticorin Towns, Women, Indian Christian, Urban.
51 Jogi Nayudu, Allu	Vizianagram, General, Rural.
52 Kaderkutti, A. K	Kottayam, Muhammadan, Rural.
53 Kadirappa, D.	Penukonda, General, Rural (Scheduled Castes).
54 Kaleswara Rao, A. (*Parliamentary Secretary*).	Bezwada *cum* Masulipatam Towns General, Urban.
55 Kamaraj Nadar, K.	Sattur, General, Rural.
56 Kannan, E.	Malappuram, General, Rural (Scheduled Castes).
57 Karant, K. R.	Puttur, General, Rural.
58 Karunakara Menon, A. ..	Malappuram, General, Rural.

Name of member.	Name and class of constituency.
59 Khadija Yakub Hassan, Mrs.	Madras City, Women, Muhammadan, Urban.
60 Khalif-ul-lah, Khan Bahadur P.	Trichinopoly, Muhammadan, Rural.
61 Kolandavelu Nayanar, K. ..	Mannargudi, General, Rural (Scheduled Castes).
62 Koti Reddi, K.	Cuddapah, General, Rural.
63 Krishnamachari, T. T. ..	Southern India Chamber of Commerce.
64 Krishnan, S.	Pollachi, General, Rural (Scheduled Castes).
65 Krishna Rao, G.	Northern Central Landholders.
66 Krishnamurti, G.	Railway Trade Union, Labour.
67 Krishnaswami Bharathi, L. ..	Melur, General, Rural.
68 Kulasekaran, K.	Tindivanam, General, Rural (Scheduled Castes).
69 Kumararaja M. A. Muthiah Chettiyar of Chettinad.	The Nattukottai Nagarathars' Association.
70 Kumaraswami Raja, P. S. ..	Srivilliputtur, General, Rural.
71 Kunhammad Kutty Hajee, P. I.	Calicut *cum* Cannanore *cum* Tellicherry Towns, Muhammadan, Urban.
72 Kuppuswami Ayyar, K. ..	Dindigul, General, Rural.
73 Kurmayya, V.	Bandar, General, Rural (Scheduled Castes).
74 Kuttimalu Amma, Srimathi A. V.	Tellicherry *cum* Calicut Towns, Women, General, Urban.
75 Laljan, S. M.	Guntur, Muhammadan, Rural.
76 Lakshmanaswami, O. ..	Kurnool, General, Rural.
77 Lakshmanaswami, P. ..	Amalapuram, General, Rural (Scheduled Castes).
78 Lakshmi Ammal, Srimathi ..	Sermadevi, General, Rural.
79 Lakshmi Ammal, Srimathi K.	Dindigul, Women, General, Rural.
80 Lakshmi Devi, Dr. N. ..	Bellary, Women, General, Rural.
81 Langley, W. K. M.	Madras Planters.
82 Luker, F. G.	European Commerce, the Madras Chamber of Commerce and the Madras Trades Association.
83 Madhavan, P.	Chirakkal, General, Rural.
84 Mahboob Ali Baig	West Godavari *cum* Kistna Muhammadan, Rural.
85 Manickam, R. S.	Sattur, General, Rural (Scheduled Castes).
86 Mariemuthu, M.	Tanjore, General, Rural (Scheduled Castes).
87 Marimuthu Pillai, S. T. P. ..	Musiri, General, Rural.
88 Maruthai, R.	Ariyalur, General, Rural (Scheduled Castes).
89 Mir Akram Ali..	Vizagapatam *cum* East Godavari Muhammadan, Rural.

Name of member.	Name and class of constituency.
90 Moideen Kutty, P. K. ..	Palghat, Muhammadan, Rural.
91 Muhammad Abdul Kadir Ravuttar, K. S.	Madura, Muhammadan, Rural.
92 Muhammad Abdur Rahman.	Malappuram, Muhammadan, Rural
93 Muhammad Abdus Salam, Dr.	Nellore, Muhammadan, Rural.
94 Muhammad Schamnad, Khan Bahadur.	Puttur, Muhammadan, Rural.
95 Muhammad Rahmatullah, K.	Anantapur, Muhammadan, Rural.
96 Muniswami Pillai, The Hon. Sri V. I. (*Minister*).	Tirukkoyilur, General, Rural (Scheduled Castes).
97 Murti, B. S. (*Parliamentary Secretary*).	Cocanada, General, Rural (Scheduled Castes).
98 Muthuramalinga Tevar, U. ..	Ramnad, General, Rural.
99 Nachiyappa Goundar, K. A.	Omalur, General, Rural.
100 Nadimuthu Pillai, A. Pl. N. V.	Tanjore, General, Rural.
101 Nagappa, S.	Kurnool, General, Rural (Scheduled Castes).
102 Nagaraja Ayyangar, N. ..	Namakkal, General, Rural.
103 Nagiah, S.	Cuddapah, General, Rural (Scheduled Castes).
104 Nanjappa Goundar, K. N. ..	Gobichettipalaiyam, General, Rural
105 Narasimha Raju, D. L. ..	Sarvasiddhi, General, Rural.
106 Narasimha Raj, P. L. ..	Vizianagram, General, Rural.
107 Narasimham, C.	Chicacole, General, Rural.
108 Narasimham, V. V.	West Godavari *cum* Kistna *cum* Guntur Factory Labour, Labour.
109 Narayana Raju, Dandu ..	Bhimavaram, General, Rural.
110 Narayana Rao, K V. ..	Bezwada, General, Rural.
111 Natesa Chettiyar, M. G. ..	Dharmapuri, General, Rural.
112 Natesa Mudaliar, P.	Saidapet, General, Rural.
113 Nuttall, J.	European.
114 Obi Reddi, C.	Anantapur, General, Rural.
115 Orchard, G. L.	European Commerce, Madras Chamber of Commerce, and the Madras Trades Association.
116 Palaniswami Gounder, V. C.	Coimbatore, General, Rural.
117 Palaniswami Gounder, V. K.	Pollachi, General, Rural.
118 Palat, R. M.	West Coast Landholders.
119 Pallam Raju, M.	Cocanada, General, Rural.
120 Pannir Selvam, Rao Bahadur Sir A. T.	Tanjore *cum* Madura *cum* Ramnad, Indian Christian.
121 Parthasarathi Ayyangar, C. R.	Chittoor, General, Rural.
122 Pedda Padalu, P.	Backward Areas and Tribes.
123 Periaswami Gounder, K. S. ..	Erode, General, Rural.
124 Periyaswami Gounder, K. ..	Trichinopoly, General, Rural.
125 Periyaswami, M. P.	Namakkal, General, Rural (Scheduled Castes).
126 Perumal Chettiyar, V. R. ..	Salem Town, General, Urban.
127 Perumalla Nayudu, B. ..	Kandukur, General, Rural.

Name of member.	Name and class of constituency.
128 Ponnuswami Pillai, R. ..	Chidambaram, General, Rural.
129 Prakasam, The Hon. Sri T. (*Minister*).	Madras City, South-Central, General, Urban.
130 Prasad, D. S. (Sri Raja Vasi Reddi Durga Sadasiveswara Prasad Bahadur, Manne Sultan).	Bezwada, General, Rural.
131 Raghava Menon, R.	Palghat, General, Rural.
132 Rajagopalachariar, The Hon. Sri C. (*Prime Minister*).	University.
133 Rajah, Rao Bahadur M. C. ..	Chingleput, General, Rural (Scheduled Castes).
134 Raja Rao, J.	Guntur *cum* Nellore, Indian Christian.
135 Ramachandra Reddiyar, A. K. A.	Tirumangalam, General, Rural.
136 Ramakrishna Raju, R. B. ..	Tiruttani, General, Rural.
137 Ramakrishna Reddi, T. N. ..	Madanapalle, General, Rural.
138 Ramalinga Reddiyar, D. ..	Cheyyar, General, Rural.
139 Ramalingam, A.	Tiruvannamalai, General, Rural (Scheduled Castes).
140 Raman Menon, The Hon. Sri K. (*Minister*).	Ponnani, General, Rural
141 Ramanathan, The Hon. Sri S. (*Minister*).	Mayavaram, General, Rural.
142 Ramaswami, D. V.	Viravilli, General, Rural.
143 Ramaswami Goundar, K. S.	Palladam, General, Rural.
144 Ramaswami Mudaliyar, V. M.	Vellore, General, Rural.
145 Ramaswami Nayudu, N. G. ..	Textile Workers, Non-Union, Labour.
146 Rami Reddi, A.	Guntur, General, Rural.
147 Ranga Reddi, N.	Rajampet, General, Rural.
148 Rangayya Nayudu, G. ..	Madras City, North-Central, General, Urban.
149 Ratnavelu Tevar, P.	Trichinopoly *cum* Srirangam Town, General, Urban.
150 Reade, G. B.	European.
151 Roche Victoria, J. L. P. ..	Tinnevelly, Indian Christian.
152 Rukmini Lakshmipathi, Mrs. A. (*Deputy Speaker*).	Madras City, Women, General, Urban.
153 Sahajananda, Swami A. S. ..	Chidambaram, General, Rural (Scheduled Castes).
154 Saiyed Ibrahim, D.	Ramnad, Muhammadan, Rural.
155 Sakthivadivelu Gounder, K.	Periyakulam, General, Rural.
156 Sambamurti, The Hon. Sri B. (*Speaker*).	Cocanada Town, General, Urban.
157 Samu Pillai, V. J.	South Arcot *cum* Trichinopoly *cum* Salem *cum* Coimbatore, Indian Christian.

Name of member.	Name and class of constituency.
158 Samuel, Dr. M. J.	Central Districts, Indian Christian.
159 Sarma, P. R. K.	Madras, City Dock and Factory Labour excluding Textile and Railway Labour, Labour.
160 Sapthariahi Reddiyar, K. C. ..	Southern Central Landholders.
161 Sattanatha Karayalar, L. ..	Koilpatti, General, Rural.
162 Shaik Rowther, S. K. ..	Palghat, Muhammadan, Rural.
163 Sheik Dawood, Khan Sahib K. A.	Salem *cum* Coimbatore *cum* The Nilgiris, Muhammadan, Rural.
164 Sheik Mansoor Tharaganar, V. S. T.	Tinnevelly, Muhammadan, Rural.
165 Shetty, A. B. (*Parliamentary Secretary*).	Coondapoor, General, Rural.
166 Shanmugam, K.	Gudur, General, Rural (Scheduled Castes).
167 Shanmuga Mudaliyar, K. A...	Tiruppattur (North Arcot), General, Rural.
168 Seshadriachariyar, B. T. ..	Gudiyattam, General, Rural.
169 Sitarama Reddi, H.	Bellary, General, Rural.
170 Sitarama Reddiyar, K. ..	Cuddalore, General, Rural.
171 Sivashanmugham Pillai, J. ..	Madras City, South-Central, General, Urban (Scheduled Castes).
172 Srinivasa Ayyar, D.	Gobichettipalaiyam, General, Rural.
173 Srinivasa Ayyar, P. S. ..	Conjeeveram, General, Rural.
174 Subba Rao, Kallur	Penukonda, General, Rural.
175 Subba Rao, Karunakaram ..	Vizagapatam *cum* East Godavari, Dock and Factory Labour, Labour.
176 Subba Rao, Marina	Rajahmundry, General, Rural.
177 Subbaraman, N. M. R. ..	Madura Town, General, Urban.
178 Subbarayan, The Hon. Dr. P. (*Minister*).	Tiruchengode, General, Rural.
179 Subbiah, P.	Ongole, General, Rural (Scheduled Castes).
180 Subbiah Mudaliyar, C. P. ..	Coimbatore Town, General, Urban.
181 Subbaraya-Chettiyar, A. M. P.	Negapatam, General, Rural.
182 Subramanian, A.	Tirukkoyilur, General, Rural.
183 Swami, K. V. R.	Rajahmundry, General, Rural.
184 Syamasundara Rao, P. ..	Tekkali, General, Rural.
185 Unnikammoo, Khan Sahib V. K.	Malappuram, Muhammadan, Rural.
186 Valliappa Chettiyar, V. S. R.M.	Tiruppattur (Ramnad), General, Rural.
187 Varadachari, K.	Chandragiri, General, Rural.
188 Varadachari, N. S. (*Parliamentary Secretary*).	Madras City, South, General, Urban.
189 Varkey, C. J. (*Parliamentary Secretary*).	West Coast, Indian Christian.

	Name of member.	Name and class of constituency.
190	Vedaratnam Pillai, A. ..	Mannargudi, General, Rural.
191	Venaudaya Gounder, S. V. ..	Dharapuram, General, Rural.
192	Venkanna, G.	Ellore, General, Rural (Scheduled Castes).
193	Venkata Reddi, Gopavaram.	Nandyal, General, Rural.
194	Venkata Reddi, Grandhi ..	Narasapur, General, Rural.
195	Venkata Reddi, K.	Narasaraopet, General, Rural.
196	Venkatachalam Pillai, B. ..	Ariyalur, General, Rural.
197	Venkatachari, P. T.	Hosur, General, Rural.
198	Venkatanarayana Reddi, B.	Gudur, General, Rural.
199	Venkatappa Chettiyar, S. C.	Salem, General, Rural.
200	Venkatappa Nayudu, R. ..	Gooty, General, Rural.
201	Venkatappayya Pantulu, K...	Guntur *cum* Tenali Towns, General, Urban.
202	Venkatarama Ayyar, P. ..	Kumbakonam, General, Rural.
203	Venkataramiah, R. S. ..	Palni, General, Rural.
204	Venkatarao Baliga, B. ..	Mangalore, General, Rural.
205	Venkata Rao, Kala	Amalapuram, General, Rural.
206	Venkatasubba Reddiyar, R. ..	Tindivanam, General, Rural.
207	Venkatasubbayya, V. ..	Nellore, General, Rural.
208	Viswanatham, T. (*Parliamentary Secretary*).	Vizagapatam Town, General, Urban.
209	Walker, G. E.	European.
210	Yagneswara Sarma, K. P. ..	Tinnevelly *cum* Palamcottah Towns, General, Urban.
211	Yakub Hassan, The Hon. Mr. (*Minister*).	Chittoor, Muhammadan, Rural.
212	Zamindar of Bodinayakkanur (T. V. K. Kamaraja Pandiya Nayakar).	Southern Landholders.
213	Zamindar of Challapalli (Zabdatul Aqran Sreemanthu Raja Yarlagadda Siva Rama Prasad Bahadur Zamindar).	Bandar, General, Rural.
214	Zamindar of Chemudu (Vyricherla Narayana Gajapathi Raju Bahadur).	Northern Landholders I.
215	Zamindar of Mirzapuram (Sri Raja Meka Venkataramaiah Appa Rao Bahadur).	Northern Landholders II.

THE MADRAS LEGISLATIVE ASSEMBLY.

THIRD SESSION OF THE FIRST LEGISLATIVE ASSEMBLY UNDER THE GOVERNMENT OF INDIA ACT, 1935.

Monday, the 28th November 1938.

The House met in the Assembly Building, Chepauk, at three of the clock, Mr. Speaker (THE HON. SRI B. SAMBAMURTI) in the Chair.

* THE HON. SRI C. RAJAGOPALACHARIAR:—" I have given notice of a resolution."

MR. SPEAKER:—" The condolence resolution will be taken up after questions."

I.—SWEARING IN OF NEW MEMBERS.

The following members were sworn in:—

1. MR. G. E. WALKER.
2. MR. W. K. M. LANGLEY.

II.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Suspension of the operation of the communal rotation rule in certain departments and posts.

* 161 *Q.*—KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR: Will the Hon. the Prime Minister be pleased to state—

(*a*) in how many departments and in how many categories of posts the application of the Government Order relating to communal rotation in appointments to Government service has been abolished or suspended since the Congress party took up office; and

(*b*) whether the application of the Government Order in the Medical department which was once suspended recently has been restored and whether the suspension order has been cancelled?

THE HON. SRI C. RAJAGOPALACHARIAR:—" (*a*) & (*b*) Since the Congress Party took office the Government Order relating to communal rotation in appointments to Government service has not heen suspended or abrogated in any department of Government nor in regard to any posts under them. By an order, dated 19th October 1937 the communal rule was extended to cover the case of District Munsifs and Registrar of the Court of Small Causes."

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KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR :—" Is it not a fact that in the case of the Medical department it was stated here in this House before, that the communal Government Order was suspended in view of the fact that the candidates according to the order in the Government Order are not available?"

THE HON. SRI C. RAJAGOPALACHARIAR :—" I have stated, Sir, that in no department has it been suspended or abrogated. If the hon. Member means by Medical department any posts not under Government he should put such a question."

Definition of " National Flag " and Government Order, if any, prohibiting the flying of the Union Jack and the National Flag together.

* 162 *Q.*—MAHBOOB ALI BAIG SAHIB BAHADUR: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether the term " National Flag " has been defined in any Government Order; if so, what its definition is; and

(*b*) whether the Government would be pleased to place on the table of the House the Government Order prohibiting the flying of the Union Jack and the National Flag together?

THE HON. SRI C. RAJAGOPALACHARIAR :—" (*a*) The term ' National Flag ' has not been defined in any Government Order.

" (*b*) The hon. Member presumably refers to the demi-official letter to the Commissioner of Corporation, No. 33223-1-A-1/L.A., dated 3rd January 1938, of which a copy [a] is placed on the table of the House."

SRI G. KRISHNA RAO :—" Is the Government aware, Sir, that there was some disturbance with regard to this matter in the Ootacamund Municipality? "

THE HON. SRI C. RAJAGOPALACHARIAR :—" The Government is not aware of any disturbance, Sir."

SRI G. KRISHNA RAO :—" A discussion? "

THE HON. SRI C. RAJAGOPALACHARIAR :—" I have read some reports in the press."

Provision of adequate protection to the life and property of the South Indian Community in Burma.

* 163 *Q.*—SRI D. RAMALINGA REDDIYAR: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether the Government have received any authenticated report from the Government of Burma as to the extent of loss in person and property to the South Indian Community, resident in Burma in the recent Burma riots;

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[a] Printed as Appendix I on pages 147-148 infra.

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(*b*) what help the Government have arranged to be given to the victims and their families; and

(*c*) whether the Government will bring to the notice of the authorities responsible for the maintenance of peace and tranquillity of Burma to give adequate protection for the South Indian Community so as to minimise friction and consequent loss to the several communities involved?

THE HON. SRI C. RAJAGOPALACHARIAR:—" The hon. Member is referred to the statement made and answers given to questions on the subject on the floor of the House on the 16th August 1938."

SRI G. KRISHNA RAO:—" Has the Government of India, Sir, sent any report in regard to this matter in detail? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" The Government of India has not sent any report; but we have received some communications."

SRI G. KRISHNA RAO:—" With regard to the destitute refugees who have come from Burma and who belong to the labouring classes, has relief been given to them or have any steps been taken in the matter? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" The Government has done all that it can do to repatriate them and put them in their homes. As regards further operations to relieve distress among them by way of unemployment the hon. Member will kindly give us the benefit of his views."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—" May I know whether Government have received any report from their Agent and if so, what it is? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" We have been receiving demi-official information from the Agent-General and I might say that he is very busy doing his best for the people there and he is busy also doing his best for the Government in our interest. More than that he has not been able to achieve anything which I can report."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—" Are the Government satisfied with the work of the Agent there and if it is not so, will they send an Indian to do the work more properly? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" I do not quite see the logic behind the various supplementary questions. But I can say that Government have no reason to be dissatisfied with the work of the Agent there."

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ABDUL HAMEED KHAN SAHIB BAHADUR:—" May I know if the Agent has succeeded in moving the Government to give compensation to those who have suffered in the last two months? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" The question of compensation is a matter of correspondence between *the Secretary of State and us. The Agent himself can do* nothing with regard to that question with the Government of Burma. I might also inform hon. Members, Sir, that the tribunal which has been appointed there will not be able to deal with the question of compensation directly unless the Secretary of State helps and it is for that reason we are in correspondence with the Secretary of State."

Teaching of military drill to constables.

* 164 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Prime Minister be pleased to state—

(*a*) the nature of training given to constables after recruitment; and

(*b*) whether any military drill is taught to them?

THE HON. SRI C. RAJAGOPALACHARIAR:—" (*a*) Constables are trained in a Central Recruits' School for six months in Police Orders and Procedure, Law, First Aid and Drill.

" (*b*) They are taught military drill adapted and amplified to meet the needs of a Police Officer."

Practice of lathi charge in public places.

* 165 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Prime Minister be pleased to state—

(*a*) when the present method of lathi charge was introduced;

(*b*) in what respects it differs from the method in force previously; and

(*c*) whether it is a fact that this lathi charge is displayed at public places for demonstration purposes?

THE HON. SRI C. RAJAGOPALACHARIAR:—" (*a*) & (*b*) The present method of dealing with riotous mobs was introduced in 1934. It is not desirable to go into the details of the subject in this place, but I can tell the hon. Member privately.

" (*c*) It is a misapprehension to believe that the lathi charge is displayed at public places for demonstration purposes. Lathi drill, however, is performed on police parade grounds in the same way as any other branch of training is carried out."

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Enforcement of the orders withdrawing the concession granted to certain sivaijama cultivators in the Velliyur village, Tiruvallur taluk.

* 166 *Q.*—Sri D. RAMALINGA REDDIYAR: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether the Government have received the information said to have been called for in the answer to starred question No. 327, clauses (*a*) to (*c*), answered on 17th March 1938;

(*b*) whether the Government will be pleased to place on the table a copy of the report of the Tiruvallur Revenue Divisional Officer, after his inspection of fields Nos. 230, 231 and 232 of Velliyur village on the 7th November 1937; and

(*c*) why the District Collector of Chingleput failed to carry out the orders of the Board of Revenue?

Sri T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri. T. Prakasam:—" (*a*) The answer is in the affirmative.

" (*b*) The answer is in the negative.

" (*c*) The Collector after personal inspection, was of opinion that there was a case for the reconsideration of the Board's orders. After examining the case the Government considered that the Board's order withdrawing the concession was correct and have accordingly issued orders to the Board to instruct the Collector to give effect to its order."

Grants for minor irrigation works on the basis of a five-year plan.

* 167 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Revenue be pleased to state whether the Government propose to make further and larger grants on the basis of a five-year plan for minor irrigation?

Sri T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—" The answer is in the negative."

Extension of cultivable areas.

* 168 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether the Government propose to extend the area under cultivation in this province; and

(*b*) if so, what the method they propose to adopt is?

Sri T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri. T. Prakasam:—" (*a*) The Government would be glad to see an increased area in the province brought under cultivation.

" (b) The best method of facilitating the assignment of land at the disposal of Government in favour of the landless poor is under examination. Meanwhile the advice of the Agricultural department is at the disposal of the cultivators and irrigation and other facilities are also being provided wherever possible to stimulate cultivation."

Sri G. KRISHNA RAO :—" May I know with regard to the recent visit of the Hon. the Revenue Minister to the Punjab, evidently the Parliamentary Secretary had been with him, may I know if any steps will be taken for the sake of relieving the educated unemployed by opening economic farms as are done in the Punjab and United Provinces? "

Sri T. VISWANATHAM :—" The Government have not received all the literature about the subject and when they are received, they will consider the matter."

Sri K. V. R. SWAMI :—" May I know whether there is any information available as to the extent of land available for such cultivation and if so, what the extent is? "

Sri T. VISWANATHAM :—" No information at present; but some time ago a statement was placed on the table in which it was shown that there are 871,000 acres of arable land available for assignment."

Sri G. KRISHNA RAO :—" Is the Government aware that there are 11 million acres of land—cultivable waste other than fallow in the whole province proportionately distributed in each district? Will the Government see that statistics are provided for each district and place them on the table? "

Sri T. VISWANATHAM :—" I was submitting that a statement was submitted some time ago giving particulars district after district and that it was 871,000 acres."

Sri K. V. R. SWAMI :—" May I know whether any report was received from the Agricultural Department regarding this matter? "

Sri T. VISWANATHAM :—" I do not think there is any such report, Sir."

MAHBOOB ALI BAIG SAHIB Bahadur :—" What is the basis of assignment of these lands to people, whether adjacent owners will be given these lands irrespective of the fact that they belong to this community or that community."

Sri T. VISWANATHAM :—" I submit the hon. Member knows the existing rules; but a revision of the rules is also under the consideration of the Government."

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Proposal, if any, for the remission of the entire assessment on holdings below one acre.

* 169 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) the total number of holdings below one acre;

(*b*) the total acreage of the same;

(*c*) the total assessment on the same; and

(*d*) whether the Government have got under consideration any proposal to remit the entire assessment on these holdings?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—" (*a*) to (*c*) The Government have no information.

" (*d*) The answer is in the negative."

SRI K. V. R. SWAMI:—" Will the Government be pleased to call for the information? "

SRI T. VISWANATHAM:—" The Government are considering the revision of the whole land revenue system, and in that connexion they will certainly consider this. That being the case, there is no necessity to call for this information at this stage."

Decision of the Government on the recommendations of the Indian Taxation Committee in regard to the incidence of land revenue assessment.

* 170 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether the Indian Taxation Committee recommended in 1926 as follows:—

(i) land revenue should be so fixed as to ease the burden on the smallest cultivators;

(ii) the basis of the settlement should be the annual value;

(iii) the rate of assessment should not exceed twenty-five per cent of the annual value;

(*b*) whether the Government have considered these recommendations and have come to any conclusions; and

(*c*) if so, what these are?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—" (*a*) (*i*) *to* (*iii*) The Indian Taxation Enquiry Committee was appointed primarily to consider forms of revenue other than land revenue. Its recommendations on the subject of land revenue were therefore, incidental and general and not made specifically with reference to the conditions in the various provinces. In the course of its remarks on land revenue, the committee explained the practical difficulties of varying the assessment

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with reference to the status of the cultivator. It favoured generally the basing of assessment on annual value and stated that, on the materials before it, a standard rate not exceeding 25 per cent of the annual value was desirable.

"(b) & (c) The report of the Indian Taxation Enquiry Committee is part of the material which is under the consideration of Government in connexion with their examination of their land revenue policy."

SRI G. KRISHNA RAO:—"Are the Government aware that, at present, in certain ryotwari areas, the annual assessment is as much as 75 per cent of the net income?"

SRI T. VISWANATHAM:—"The Government are not aware that the percentage is so high."

SRI G. KRISHNA RAO:—"Is it not a fact that the Tanjore mirasidars have made a representation about it to the Hon. the Prime Minister?"

SRI T. VISWANATHAM:—"I think that question had better be put to the Hon. the Prime Minister, Sir."

Measures for the manufacture of electrical goods at the power-house, Mettur.

* 171 Q.—SRI R. B. RAMAKRISHNA RAJU: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether any electrical goods or appliances or other articles are being manufactured at Mettur power-house or any factory near by and if so, what they are;

(b) whether the Government have taken any steps to advertise the said goods to the public;

(c) whether the Government have considered the feasibility of manufacturing bulbs, fans, and other electrical goods at Mettur as are being manufactured in Mysore and if not, why not; and

(d) what steps are being taken by the Government to advertise and popularize the use of electricity in the rural parts?

THE HON. MR. YAKUB HASAN:—"(a) Materials required for electrict transmission lines constructed by the Electricity Department, such as crossarms, structures, gangswitches, etc., are being manufactured in the departmental workshops at Mettur. There are no factories near Mettur manufacturing electrical goods or appliances and other articles.

"(b) As the materials manufactured in the Mettur workshops are intended for use on departmental works, steps have not been taken to advertise the goods to the public.

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"(c) The Government have not considered the feasibility of manufacturing bulbs, fans and other electrical goods at Mettur. Such materials are manufactured in Mysore by private companies floated specially for the purpose and subsidized by the State.

"(d) Distribution of propaganda pamphlets, personal canvassing and demonstration of electric drive are some of the steps taken to popularize and encourage the wider use of electricity in rural parts. The technical knowledge of the departmental staff is placed freely at the disposal of the consuming public. Certain other activities which are under contemplation are—

"Posters and leaflets dealing with the uses of electricity in the village.

"Exhibition of electrical appliances and demonstrations."

SRI R. B. RAMAKRISHNA RAJU:—"Have the Government made any arrangement for the distribution of the pamphlets free to the villagers?"

THE HON. MR. YAKUB HASAN:—"As I have stated the free distribution of the propaganda pamphlets is one of the steps that is being taken to popularize the use of electricity. The pamphlets are to be distributed free."

Execution of irrigation works in Ramnad district.

*172 Q.—SRI V. S. R. M. VALLIAPPA CHETTIAR:—Will the Hon. the Minister for Public Works be pleased to state—

(a) the number and nature of irrigation works carried out by the Government to improve the condition of the ryots in the Ramnad district;

(b) whether the Government have under consideration the digging up of any channels in the district; and

(c) if not, the reasons for the same?

THE HON. MR. YAKUB HASAN:—"(a) Ninety-eight works were taken up during the years 1935–36 to 1938–39 under the special accelerated programme of improvements to irrigation tanks to relieve unemployment among the rural population and to improve the economic conditions of the district. The expenditure for the district on this scheme so far is Rs. 2,37,124. The nature of work done is strengthening tank bunds, repair to silted supply channels, sluices, etc.

"Besides the work under the special accelerated programme expenditure is incurred every year on the maintenance of irrigation works both by Revenue and Public Works Departments. Fifty-seven works were repaired by the Revenue Department during 1937–38 at a cost of Rs. 27,024. Thirty-eight works were repaired and improved by the Public Works Department at a cost of Rs. 26,423.

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" (*b*) & (*c*) Sivaneri supply channel which was badly sanded up was repaired under the special accelerated programme. The scheme did not include digging up of new channels. *Most of the district is zamindari and there is not much scope* for Government to carry out irrigation works of any importance."

SRI V. S. R. M. VALLIAPPA CHETTIYAR:—" Are the Government aware, Sir, that the water-sources in the zamindaris are neglected?"

THE HON. MR. YAKUB HASAN:—" Yes, the Government are aware of that."

Supply of electricity from Mettur to Conjeevaram.

* 173 *Q.*—DR. P. S. SRINIVASAN: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) when electric energy will be supplied to Conjeevaram from Mettur;

(*b*) what the causes of the delay in supplying are when the lines to Conjeevaram had been drawn so early as February or March last;

(*c*) whether the Government propose to supply electric energy to agriculturists in the Conjeevaram area and when;

(*d*) why the enquiry as to the probable consumers of electric energy for agricultural purposes in the area was not continued after the start;

(*e*) whether the Conjeevaram Municipal Council has to put off their electric extension schemes on account of the delay in supplying electric energy from Mettur;

(*f*) whether the Government have received representations from the Municipal Council, Conjeevaram, that the engines in the electric power house are not equal to the demand and may even fail if allowed to work without repairs; and

(*g*) what special steps the Government propose to take to supply electric energy from Mettur?

THE HON. MR. YAKUB HASAN:—" (*a*), (*b*) & (*g*) Conjeevaram is expected to be supplied fully by the end of the year. The delay was in the erection of sub-station equipment by the contractor, which is expected to be completed by the end of the year. The line to Conjeevaram was completed on 20th June 1938 and temporary supply commenced on 28th August 1938.

" (*c*) Government will supply power to agriculturists in the area provided such supply is economically feasible. The feasibility of supply for the agricultural purposes will be investigated and supply arranged for.

"(*d*) A preliminary enquiry was made in September 1937 in connexion with the supply to Kattawakam to determine whether or not it would be convenient for the department to undertake supply. The investigation will be continued after the main line is energised.

"(*e*) As regular supply will be made by the end of this year, the Council need not put off the extension proposals the funds for which are still under consideration.

"(*f*) The answer is in the affirmative. But after an inspection of the power house at Conjeevaram by an officer of the Electricity Department in September 1938 it is reported that with the engines even in the condition they now are there should be no difficulty to meet power demand for not less than six months at least. The Chairman and the Commissioner have accepted that the engines are not in a condition to be viewed with alarm."

Extension of the supply of hydro-electric power from Mettur to Wandiwash and Tiruvettipuram.

* 174 *Q.*—SRI D. RAMALINGA REDDIYAR: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether it is a fact that the Government have approved the proposal of the Chief Engineer for Electricity to extend the supply of Mettur Hydro-Electric Power to Tiruvettipuram and Wandiwash in the North Arcot district;

(*b*) when the work on this line is to be started and finished; and

(*c*) whether the Government will consider the desirability of extending the supply of electricity from Tiruvettipuram to Madurantakam (Chingleput district)?

THE HON. MR. YAKUB HASAN:—"(*a*) The answer is in the affirmative.

"(*b*) The work on this line is expected to be taken up early in 1939 and completed in that year.

"(*c*) The feasibility of extending the supply of power from Tiruvettipuram to Madurantakam is already under consideration."

Levy of fees on boats passing through the Orumanayur and Velliangode dams in the Ponnani taluk.

* 175 *Q.*—KHAN BAHADUR P. M. ATTAKOYA THANGAL: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) how long since the system of levying fee for boats passing through the Orumanayur and Velliangode dams in the Ponnani taluk has been in force;

(*b*) what the fee levied for each boat is;

(*c*) whether the fee for loaded and unloaded boats is uniform or whether it varies according to the cargo;

(*d*) the total amount realized as fee at these dams during the period ending 30th June 1938;

(*e*) whether such fee is collected through contract system or directly by the Public Works Department;

(*f*) whether it is a fact that higher rates are levied from passengers;

(*g*) whether it is a fact that people are being subjected to considerable trouble and annoyance by permitting the boats to pass through the dams only at a certain fixed time every day; and

(*h*) if so, what steps the Government propose to take in the matter?

THE HON. MR. YAKUB HASAN:—"(*a*) Since 1871.

"(*b*) & (*c*) The existing rates of tolls are as follows:—

	RS.	A.	P.
(1) For each cabin boat	0	4	0
(2) for each boat laden with goods or carrying passengers	0	4	0
(3) for each empty boat with not more than two men	0	1	0

The above rates are leviable on each passage through the lock or past the toll station.

"(*d*) The amount realized for the period 1st April 1935 to 30th June 1938 is as follows:—

Orumanayur toll station, Rs. 859–14–0.
Velliangode toll station, Rs. 761–5–0.

"(*e*) The toll stations are run by the Public Works Department since 1937 for a period of two years as an experimental measure.

"(*f*) The Government have no information regarding fees charged by owners of vessels.

"(*g*) & (*h*) The number of hours during which boats are allowed to pass has to be restricted to prevent salt water entering the canal and damaging irrigation lands. During the flood season, when the tidal action is not felt in the canal, it may be possible to open the gates and allow the boats to pass at all hours without fear of salt water entering the canal and damaging the crops. Necessary instructions are being issued by the Chief Engineer to fix definitely the months when the gates may be opened at all hours. Some delay at the lock is unavoidable during other months."

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KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"May I know whether the Government are aware that empty boats and laden boats are alike charged the same rate?"

THE HON. MR. YAKUB HASAN:—"The Government are not aware of it."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"May I know whether boats are allowed only once in 24 hours and thereby great hardship is caused to the boatmen and passengers?"

THE HON. MR. YAKUB HASAN:—"I can give no other information than what I have given."

Protest against the procedure laid down for the appointment of the staff of the Education and Public Health Departments in the Salem District Board.

*176 *Q.*—SRI G. KRISHNA RAO: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether with regard to the appointment of the staff for the Education and Public Health Departments in the Salem District Board, orders have been sent by Government that these appointments should be made by the President in consultation with the Director of Public Instruction and the Director of Public Health;

(*b*) if so, why such an order was passed;

(*c*) whether such orders have been passed with regard to the appointments in other district boards also;

(*d*) whether the Salem District Board has sent any representation saying that such an order was a curtailment of its powers; and

(*e*) what reply the Government have given?

THE HON. DR. P. SUBBARAYAN:—"The rules framed under the Madras District Municipalities Act as well as those under the Madras Local Boards Act, have for a long time contained a provision to the effect that appointments to certain specified posts in the Public Health Service of local bodies should be made in consultation with the District Health Officer or the Municipal Health Officer, as the case may be—vide Local Self-Government Department Notifications Nos. 1407 and 1408, dated the 8th September 1932, published at pages 925 and 926 of Part I-A of the *Fort St. George Gazette*, dated the 20th September 1932. The reference in the question is apparently to certain amendments recently made to the rules, following the foregoing provision, whereby it is required—

(i) that certain appointments relating to maternity and child welfare work should be made in consultation with the Director of Public Health; and

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(ii) that appointments to the L.T. or B.Ed. grade in the high school departments of schools should be made in consultation with the District Educational Officer or the Inspectress, as the case may be.

"These provisions apply to all local bodies and not to the District Board, Salem, in particular. This District Board sent certain representations in respect of these amendments. The principle underlying the rules is that in the interests of the efficiency of the services concerned executive authorities of local bodies should have the guidance and advice of Departmental officers in making these appointments. Orders have been issued explaining the position to local bodies. A copy [a] of these orders is laid on the table of the House."

SRI G. KRISHNA RAO:—"May I ask the Hon. Minister whether it was brought to the notice of the Government that such orders have the effect of curtailing the powers of the district boards?"

THE HON. DR. P. SUBBARAYAN:—"It is only a matter of opinion."

SRI G. KRISHNA RAO:—"May I know, Sir, whether it is the policy of the Government at present to curtail the powers of the local bodies or to liberalize the administration?"

THE HON. DR. P. SUBBARAYAN:—"The hon. Member may draw his own conclusions."

Boarding arrangements for Koya boys in Agency tracts.

* 177 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether the information said to have been called for in the answer to starred question No. 413 answered on 24th March 1938 in regard to boarding arrangements for Koya boys in Agency tracts has been received; and

(*b*) if so, what it is?

THE HON. DR. P. SUBBARAYAN:—"There is a boarding house attached to the U.L.C.M. Higher Elementary School, Ankalagudem, Polavaram taluk, East Godavari district, which admits Koya boys."

Denial of vacation salaries to temporary teachers under local bodies.

* 178 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether it is a fact that temporary teachers working under the local boards are appointed in July and are ousted at the end of April;

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[a] Printed as Appendix II on pages 148-149 infra.

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(b) whether it is a fact that such temporary teachers are not given any salary in the summer vacation although there is a Government Order (No. 420, L. & M., dated 11th October 1933) directing the Presidents of the Local Boards to pay such teachers proportionate salaries; and

(c) if so, whether the Government will consider the desirability of giving effect to the order from this year at least?

THE HON. DR. P. SUBBARAYAN:—" (a) & (b) The Government are not aware that temporary appointments of teachers are as a rule made in the manner referred to. It sometimes happens that posts of teachers are created, strictly limited in duration to school terms, for example, when temporary sections are formed. The Government Order in question does not apply to teachers appointed to such posts.

" (c) Does not arise."

Policy of Government in regard to Scouts organization.

* 179 *Q.*—MR. J. L. P. ROCHE-VICTORIA: Will the Hon. the Minister for Education and Legal Departments be pleased—

(i) to make a statement about the present position of the unity movement of the Boy Scouts Association; and

(ii) to state the policy of Government with regard to Scouts organization?

THE HON. DR. P. SUBBARAYAN:—" The attention of the hon. Member is invited to the Press Communiqué [a] issued by the Ministry of Public Information on the 22nd August 1938, a copy of which is placed on the table."

BASHEER AHMED SAYEED SAHIB BAHADUR:—" May I ask, Sir, whether any further progress has been made in this matter?"

THE HON. DR. P. SUBBARAYAN:—" I do not understand the import of the expression 'further progress'."

BASHEER AHMED SAYEED SAHIB BAHADUR:—" May I ask if the Hon. Minister in charge is not aware of the fact that the Chief Commissioner for the entire country of India was here and whether there was any talk between him and the Government, and whether the Hon. Minister was able to ascertain exactly what the future progress of this movement will be?"

THE HON. DR. P. SUBBARAYAN:—" It is impossible to say at the present moment what the future progress of this movement will be."

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[a] Printed as Appendix III on page 150 infra

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Learning of Hindi compulsorily by Urdu-knowing Muslim pupils.

* 180 *Q.*—MAHBOOB ALI BAIG SAHIB BAHADUR: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether Hindi is made compulsory in the case of pupils whose vernacular is Urdu;

(*b*) whether the Government considered the question of the necessity or otherwise of learning Hindi by pupils who are learning Urdu as their vernacular;

(*c*) whether the Government consulted the Muslim community before it decided on making Hindustani compulsory in the case of Urdu-knowing Muslim pupils; and

(*d*) whether the Government would place on the table of the House copies of the Hindustani texts prescribed for compulsory Hindi classes?

THE HON. DR. P. SUBBARAYAN:—" (*a*) & (*b*) The new scheme of Hindustani teaching in Forms I to III does not apply to or alter the curriculum for boys who are taught Urdu. They are to go on as before.

" (*c*) Does not arise.

" (*d*) A copy will be placed in the library of the Legislature and members can see it."

MAHBOOB ALI BAIG SAHIB BAHADUR:—" If the aim of the Government is to compel Indians to know one language, i.e., the language that is spoken in the streets of Delhi and Lucknow, where is the necessity for compelling Muslim boys, whose vernacular is Urdu, to learn Hindustani or whatever language it is called? "

THE HON. DR. P. SUBBARAYAN:—" I am sure the hon. Member is aware as well as I do what Hindustani is, in spite of the fact that he said that he did not know what that language is. If Urdu is taught to Muslim boys as their language, then they are not compelled to attend Hindustani classes."

SRI R. M. PALAT:—" Presumably there is some difference between Hindi and Urdu? "

THE HON. DR. P. SUBBARAYAN:—" I do not grant that statement."

Provision of maternity service in rural areas.

* 181 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) what the policy of the Government is with regard to measures to be adopted in rural areas for a well-organized maternity service; and

(*b*) the improvements made since the present Ministry came into office?

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THE HON. DR. T. S. S. RAJAN:—"The policy of the Government is to secure an efficient organization for Maternity and Child Welfare service in rural areas. The need for such a service has also been recognized by the district boards who have opened Maternity and Child Welfare Centres and sanctioned the necessary staff for them. The organization is under the immediate supervision of Women Medical Officers and under the control of District Health Officers. Though the Government do not ordinarily give grants to local boards for the maintenance of Maternity and Child Welfare Centres half grants are given for the construction of buildings.

"The Maternity and Child Welfare section of the Public Health Department is being administered by a separate Assistant Director of Public Health.

"During the period of the present Ministry, rural maternity service schemes have been inaugurated in three districts. The School for Health Visitors which had till recently been under the management of the Indian Red Cross Society has been taken over by the Government. Stipends are paid to candidates undergoing the training.

"A post-graduate course has been organized for Women Medical Officers employed in Maternity and Child Welfare work and refresher courses have been arranged for midwives."

SRI G. KRISHNA RAO:—"May I know what is the area of service that is given to each rural midwife."

THE HON. DR. T. S. S. RAJAN:—"I cannot give that answer offhand."

SRI V. S. R. M. VALLIAPPA CHETTIYAR:—"May I know whether the Maternity Centres sanctioned from the Silver Jubilee Fund of His Majesty have all been opened?"

THE HON. DR. T. S. S. RAJAN:—"I want notice of that question."

Number of Hakims and Vaids registered in class B.

*182 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Public Health be pleased to state with reference to the answer to starred question No. 523 answered on 28th March 1938—

(*a*) the number of Hakims and Vaids who were registered in class B; and

(*b*) whether it is intended to give these men any short course of lectures in medicine to improve their knowledge?

THE HON. DR. T. S. S. RAJAN:—"(*a*) 4,115.

"(*b*) The Government have approved the proposal that certain practitioners of Indian Medicine who have been registered in class 'B' and who have obtained sufficient theoretical and practical knowledge in allopathic subjects such as surgery, midwifery and medical jurisprudence may be permitted to attend the classes of the A.L.I.M. course as casual students and appear for the A.L.I.M. Examination. On their passing the examination they acquire necessary qualification for registration in class 'A'."

SRI G. RANGAYYA NAYUDU:—"May I know whether there are examinations for private practitioners of Indian Medicine?"

THE HON. DR. T. S. S. RAJAN:—"I do not know to which class of private practitioners the hon. Member refers. There are all kinds of private practitioners in Indian Medicine."

SRI G. RANGAYYA NAYUDU:—"May I know whether the private practitioners such as Hakims and Vaids are registered?"

THE HON. DR. T. S. S. RAJAN:—"They always get themselves registered if they are duly qualified."

Disputed claim in regard to the payment of the purchase money by the Corporation of Madras for the purchase of some lands in Mambalam zamin.

* 183 *Q.*—SRI V. VENKATASUBBAYYA: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) whether the Corporation of Madras purchased in 1934 about 85 acres of land forming a portion of Mambalam zamin from one Sri T. Vasu Nayudu for about Rs. 5 lakhs;

(*b*) whether any petition was presented to the Government by the zamindarini that this Vasu Nayudu possessed only kudivaram rights, and that the melwaram rights remained in the zamindarini and that therefore the Corporation should be directed to withhold the payment of the purchase money to Sri Vasu Nayudu until the claims of the zamindarini are satisfied;

(*c*) whether it is a fact that the Government issued orders to the Corporation accordingly not to make further payments to Sri Vasu Nayudu until the zamindarini's claims are settled;

(*d*) whether any sums have been subsequently paid by the Corporation to Sri Vasu Nayudu notwithstanding the orders from the Government;

(*e*) what the sum involved in this dispute is; and

(*f*) what action the Government have taken in this matter to enforce their orders?

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THE HON. DR. T. S. S. RAJAN:—"(a) The answer is in the affirmative.

"(b) The Government received a representation from the zamindarini that she possessed melwaram rights in respect of the lands. No request was made by her to the effect that the Government should direct the Corporation of Madras to withhold the payment of purchase money to Sri Vasu Nayudu until the zamindarini's claim was paid.

"(c) As various representations were made to the Government regarding the settlement of claims arising out of the purchase of the lands by the Corporation, they asked the Commissioner to keep in abeyance the payment of the compensation due to Sri Vasu Nayudu until further orders. But they withdrew those instructions subsequently.

"(d) & (e) The Government have no information.

"(f) This clause does not arise in view of the answer to clause (c) above."

Transfer of control of all the taluk headquarters dispensaries to Government.

* 184 Q.—SRI B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Minister for Public Health be pleased to state whether there are any proposals before the Government to take up all the dispensaries at the taluk headquarters under their control?

THE HON. DR. T. S. S. RAJAN:—"The answer is in the negative."

Report of the Director of Public Health on the scheme of utilizing the services of rural medical practitioners in furtherance of public health work.

* 185 Q.—SRI K. V. R. SWAMI: Will the Hon. the Minister for Public Health be pleased to state with reference to the answer to starred question No. 445 answered on 25th March 1938—

(a) whether the report called for from the Director of Public Health on the working of the scheme of using rural medical practitioners in furtherance of public health work has been received; and

(b) if so, what the recommendations are?

THE HON. DR. T. S. S. RAJAN:—"(a) The final report has not yet been received.

"(b) The question does not arise."

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Extent of the cultivable portion of the forest areas, reserved and unreserved.

* 186 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) the areas of the reserved and unreserved forests in this Province; and

(*b*) what portion of each is fit for cultivation?

SRI N. S. VARADACHARI (Parliamentary Secretary) on behalf of the Hon. Sri V. I. Muniswami Pillai:—" (*a*) The Government presume that the hon. Member refers to reserved forests and reserved lands. The term 'unreserved forests' is not understood. As to the area of reserved forests and reserved lands both under the departmental management and under the control of the panchayats the hon. Member is referred to the answer given to unstarred question No. 271 on 30th March 1938.

" (*b*) As regards the forests and lands under the control of the Forest department attention is invited to the answer given to starred question No. 401 on 23rd March 1938. In the case of panchayat forests and lands under their control, it is observed from a recent report of the Board of Revenue that some 8,400 acres are available for cultivation. It is not all lands that are fit for cultivation that can be disreserved consistent with other interests that have to be safeguarded."

The Forest Utilization Department.

* 187 *Q.*—KHAN BAHADUR P. M. ATTAKOYA THANGAL: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) how many Forest Utilization Officers there are in this Presidency;

(*b*) when the posts of these officers were created;

(*c*) the total expenditure incurred by the Government annually by way of salary, establishment charges and travelling allowance of these officers; and

(*d*) whether it is a fact that timber merchants used to state the quality, size and species of timber materials while sending their tenders to the Government?

SRI N. S. VARADACHARI (Parliamentary Secretary) on behalf of the Hon. Sri V. I. Muniswami Pillai:—" (*a*) Two. One Forest Utilization Officer and an Assistant Forest Utilization Officer.

" (*b*) In 1919 and 1925 respectively.

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"(c) The average expenditure for the last five years was Rs. 37,655.

"(d) Timber merchants have long been in the habit of specifying quality, quantity and species of the timber required by them. It is not usual for them to specify exact sizes."

Formulation of a scheme of rural development for the whole of the Presidency.

* 188 Q.—MR. J. L. P. ROCHE-VICTORIA: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) whether Government have formulated any scheme of rural development for the whole Presidency; and

(b) whether the rural improvement carried out through a special officer in Salem district is proposed to be extended to other districts also?

SRI N. S. VARADACHARI (Parliamentary Secretary) on behalf of the Hon. Sri V. I. Muniswami Pillai:—"(a) All activities of the nation-building departments such as of Agriculture, Forests, Co-operation, Industries and Fisheries have rural development in the whole Presidency as their ultimate goal. The Government of India's rural reconstruction grant of over Rs. 15 lakhs is being spent by District Collectors on the improvement of water-supply, sanitation and communications in the rural areas of this Province, and on the encouragement of loan and sale co-operative societies. Consolidation of holdings will also be helped from the grant. In addition to the Government of India grant, a rural water-supply fund has been created from the Provincial revenues and a programme of rural water-supply has been initiated with a view to providing within a period of ten years all the villages with good drinking water-supply.

"(b) The Special Development Officer in Salem is to work in the wake of the Prohibition Act. The question of extending his activities to other districts to which it is proposed to extend the Act is under consideration."

Alleged wrong advice given by the Assistant Director of Agriculture, Vellore, in regard to the protection of orange trees from the attack of earth-ants.

* 189 Q.—SRI B. T. SESHADRIACHARIAR: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) whether it is a fact that the Assistant Director of Agriculture, Vellore, advised Messrs. Kaka Mahomed Ismail and Brothers of Oomerabad, North Arcot district, in May 1937, to paint the stems of their orange trees with coal-tar to prevent damage from earth-ants;

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(b) whether it is a fact that the application of coal-tar as advised by the said officer has killed some of the orange trees themselves instead of the earth-ants; and

(c) if the answers to the above are in the affirmative, what action the Government propose to take to prevent the repetition of such occurrences?

SRI N. S. VARADACHARI (Parliamentary Secretary) on behalf of the Hon. Sri V. I. Muniswami Pillai:—" (a) & (b) When the Assistant Director of Agriculture, Vellore, was at Oomerabad in May 1937, he visited the orange garden. As he found many trees drying with branches dead, he suggested the cutting of those dead branches and applying coal-tar to the cut surface. He did not advise the painting of the stems with tar.

" (c) Does not arise."

* 190 Q.—The question was postponed.

Examination of the possibilities of the development of mica industry in this Province.

* 191 Q.—SRI V. VENKATASUBBAYYA: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) the value of mica exported from this Province annually;

(b) what portion of it is exported from the Nellore district; and

(c) whether the Government have examined the industrial possibilities of mica in this country?

THE HON. SRI V. V. GIRI:—" (a) The value of mica exported to foreign countries by sea during the last six years is as follows:—

	Rupees in lakhs.
1932–33	5·49
1933–34	9·15
1934–35	7·72
1935–36	10·49
1936–37	11·23
1937–38	20·23

No information is available in regard to coastwise exports and exports by rail.

" (b) No definite information is available; but the major portion of the quantity exported must have been mined in the Nellore district.

" (c) The matter is under consideration."

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Sri G. KRISHNA RAO:—"May I know whether high grade mica is used for electrical purposes?"

The Hon. Sri V. V. GIRI:—"I have the information from the hon. Member and I think it is so."

Revival of the paper mill at Rajahmundry.

* 192 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Industries and Labour be pleased to state—

(*a*) whether the paper mill at Rajahmundry has commenced work;

(*b*) if so, when; and

(*c*) the quantity of paper produced in each month after such commencement?

The Hon. Sri V. V. GIRI:—"(*a*) & (*b*) The Andhra Paper Mills Company, Limited, at Rajahmundry commenced work on the 1st June 1938.

"(*c*) Twenty-one tons of paper were produced in June, 46 tons in July, and 29 tons up to 20th of August 1938."

Sri G. RANGAYYA NAYUDU:—"May I know whether the paper mill at Rajahmundry is now run by the original company that started it?"

The Hon. Sri V. V. GIRI:—"I believe now the mill is run by Messrs. Dayaram and Company."

Functions of the marketing officers in this Presidency.

* 193 *Q.*—Khan Bahadur P. M. ATTAKOYA THANGAL SAHIB Bahadur: Will the Hon. the Minister for Industries and Labour be pleased to state—

(*a*) how many marketing officers there are in this Presidency;

(*b*) what the expenditure incurred by the Government annually is on account of the salaries, travelling allowance and establishment charges of these officers; and

(*c*) the main functions of these officers?

The Hon. Sri V. V. GIRI:—"(*a*) One Provincial Marketing Officer and four assistants.

"(*b*) A statement[a] giving the figures for 1937–38 is appended.

"(*c*) Marketing work falls under three main divisions:—

(1) investigation of existing conditions;
(2) development; and
(3) grade standards.

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[a] Printed as Appendix IV on page 150 infra.

" The Imperial Council of Agricultural Research meets the cost of three assistant marketing officers out of the five posts mentioned in the answer to clause (a) above. These three assistants attend mainly to the first item of work. The fourth assistant has been appointed by the Provincial Government and attends solely to the second item of work. The Provincial Marketing Officer is in general charge of the marketing section, supervises the work of the assistants and collaborates with the Agricultural Marketing Adviser with the Government of India."

Construction of wells for the benefit of the Adi-Andhras in the Nellore district.

* 194 *Q.*—SRI K. SHANMUGAM: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether it is a fact that wells for the benefit of the Adi-Andhras in Nellore district are not being dug until they dig test pits and satisfy the authorities, and if so, why the authorities do not themselves take up the work of trying test pits;

(b) whether the Government have received any reports that boring wells have proved successful; and

(c) what the average cost of one such well is?

THE HON. SRI V. V. GIRI:—" (a) The answer to the first part of the question is in the affirmative. The Collector has, however, been instructed not to insist on the scheduled classes sinking trial pits before sanctioning wells. He has also been told that these classes should not be discouraged from sinking trial pits voluntarily.

" (b) Yes.

" (c) The cost of a bore-well varies according to the depth and the hardness of the strata passed through. It has been roughly estimated that the cost is Rs. 5 per foot including the cost of pipes and hire charges, etc., in the case of hand-boring sets of 4 inches size, Rs. 7 of 6 inches size and Rs. 10 to Rs. 15 per foot in the case of power drills provided the boring is not entirely through rock."

Concession, if any, shown to companies in the matter of quarrying metal, earth and clay.

* 195 *Q.*—SRI V. C. PALANISWAMI GOUNDAR: Will the Hon. the Minister for Industries and Labour be pleased to state whether any special concession is shown by way of lease to companies, limited or otherwise, in the Coimbatore district, in preference to Departments of Government, the local boards and the ryots in respect of quarrying of metal, earth and clay?

THE HON. SRI V. V. GIRI:—" The answer is in the negative."

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Appointment and promotion of clerks in the Judicial department in the South Malabar district.

* 196 *Q.*—SRI R. RAGHAVA MENON: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(*a*) whether it is a fact—

(1) that the new rules regulating appointments and promotions in the Subordinate Services issued in 1934 are not strictly followed in the matter of making appointments as clerks in the Judicial department in the South Malabar district and that as a result, persons who entered service before July 1929 as amins, readers and copyists are still not confirmed as clerks while persons who were subsequently recruited to those categories have been so confirmed;

(2) that persons exempted from the Madras Public Services Commission are preferred to persons already holding permanent appointments in the Ministerial Service and consequently much hardship is caused to men in service; and

(*b*) whether the Government will be pleased to investigate into the matter and issue orders to cancel irregular appointments, if any, made since the issue of the new rules and order fresh appointments to be made strictly in accordance with the rules?

THE HON. SRI S. RAMANATHAN (Minister for Public Information) on behalf of the Hon. Sri K. Raman Menon:—
"(*a*) (1) The answer is in the negative.

(2) No preference was given as stated in the question.

"(*b*) In view of the answer to clause (*a*) above, the question in this clause does not arise."

Rule governing the grant of leave for marriages and similar functions of the members of the Bitragunta Reformatory Settlement.

* 197 *Q.*—SRI V. VENKATASUBBAYYA: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(*a*) whether there was a rule in the Kavali Criminal Reformatory Settlement that in marriages and all other cases leave should be obtained in advance from the Commissioner of Labour and that marriages within the settlement shall not be permitted except with such leave given on the recommendation of the manager;

(*b*) what the object underlying this rule is;

(*c*) whether the settlement was under the management of the American Baptist Mission and whether after its removal to Bitragunta it is managed by the Government;

(*d*) whether the rule is still in force; and

(*e*) what the population of the Bitragunta Criminal Settlement is; whether they are mainly Yerukalas, and how many of them are Christians?

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THE HON. SRI S. RAMANATHAN (Minister for Public Information) on behalf of the Hon. Sri K. Raman Menon :—' (a) & (d) The answer to clause (a) is in the affirmative. The rule was revised in 1935. Under the present rule leave must be obtained from the Commissioner of Labour in the case of marriage.

" (b) As marriage may involve an additional internment in the settlement, permission of the Commissioner is necessary.

" (c) The Kavali Settlement was removed to Bitragunta with effect from the 1st April 1933. The settlement was under the management of the American Baptist Mission until 1st September 1934, when the management was taken over by the Government.

" (e) The total population of the Bitragunta, Reformatory Settlement is 79, of which 13 are Yerukalas and 4 Christians. The population does not consist mainly of Yerukalas."

Inconvenience caused to the bus conductors in the matter of signing the trip registers kept in the police stations at Guduvancheri and Gummidipundi.

* 198 Q.—SRI D. RAMALINGA REDDIYAR: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether it is a fact that public motor buses plying along the south grand trunk road from Madras to Chingleput have to be left on the road at Guduvancheri on either way and that the conductor has to run to the police station—two furlongs away—for signing the trip register kept for the purpose by the police;

(b) whether it is a fact that the buses plying on the northern grand trunk road have to deviate from their regular course and proceed to the far away police station at Gummidipundi in the Chingleput district for purposes of the conductor signing the trip register; and

(c) whether the Government will consider the advisability of stationing police constables at the places mentioned in (a) and (b) above on the roadside with the police trip registers, if necessary, for necessary entries being made therein by the persons concerned?

THE HON. SRI S. RAMANATHAN (Minister for Public Information) on behalf of the Hon. Sri K. Raman Menon :—" (a) & (b) It is a fact that conductors were once required to report as stated. They are no longer required to do so.

" (c) In view of the answer to clauses (a) and (b) above, the question does not arise."

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Proposals for the assumption of State management of road transport services.

* 199 *Q.*—SRI D. RAMALINGA REDDIYAR: Will the Hon. the Minister for Courts and Prisons be pleased to state whether there is any proposal with the Government for taking over the road transport services in the Presidency under State management?

THE HON. SRI S. RAMANATHAN (Minister for Public Information) on behalf of the Hon. Sri K. Raman Menon:—
"The answer is in the negative."

Application of the provisions of section 61, *Civil Procedure Code to agriculturists.*

* 200 *Q.*—SRI V. S. R. M. VALLIAPPA CHETTIYAR: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(*a*) whether the powers under section 61 of the Civil Procedure Code were ever exercised by the Government for the last ten years;

(*b*) if so, when, in what districts, and under what circumstances;

(*c*) whether the Government have any intention to use the above provision for helping the affected agriculturists; and

(*d*) if not, why not?

THE HON. SRI S. RAMANATHAN (Minister for Public Information) on behalf of the Hon. Sri K. Raman Menon:—
"(*a*) The answer is in the negative."

"(*b*) Does not arise.

"(*c*) The answer is in the negative.

"(*d*) Because of the difficulty of framing a practicable and equitable rule which will be of real benefit to the agriculturist."

Failure of the Bobbili District Board to command popular confidence.

* 201 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) whether it is a fact that at page 24 of the report on the working of the Local Boards in the Presidency of Madras for 1935–36, it is stated that the Bobbili District Board failed to keep in sufficiently close touch with the people of the district or to command their confidence; and

(*b*) what the reasons are for such a statement?

THE HON. SRI B. GOPALA REDDI:—" (a) The answer is in the affirmative.

" (b) The statement was based on the reports of the local officers."

Supply of copies of the Sale of Cloth Act to panchayat boards and counting of the service rendered under panchayat boards on transfer to district board service.

* 202 Q.—SRI P. MADHAVAN: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the Government are aware that although the minor panchayats are authorized to issue licences under the Sale of Cloth Act, the panchayat boards were not supplied either with the copies of the Act or rules thereunder or the Press Communiqués; and

(b) whether it is a fact that service of an employee in the panchayat board is not counted in his service in the district boards?

THE HON. SRI B. GOPALA REDDI:—" (a) The Act and the rules thereunder were published in the district gazettes. The Government have also issued orders in July last for the printing and supply of copies of the Madras Regulation of the Sale of Cloth Act, 1937, and all the rules framed thereunder up to date to all the licensing authorities including panchayat boards.

" Copies of the press communiqués were not communicated to the panchayats by the Government, but the Collectors were instructed to broadcast the substance of the communiqués in their districts in the languages concerned.

" (b) The answer is in the affirmative."

Removal of the National Flag from the Chingleput District Board building during the presidentship of the Collector.

* 203 Q.—SRI L. SATTANATHA KARAYALAR: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether it is a fact that the District Collector of Chingleput wrote to the President of the district board that when the Collector assumes office of the presidentship as ex officio President, the National Flag must be removed from the board building; and

(b) if so, what the President's reply was?

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THE HON. SRI B. GOPALA REDDI:—" (a) & (b) The Collector of Chingleput did not think that it was proper on his part as ex-officio President to fly the flag on the building as non-official presidents had the right to do and wrote, it is understood, not an official but an unofficial letter on the subject to Sri Muthiah Mudaliyar, the then president, who obliged him by removing the flag before the ex-officio president took charge."

SRI P. S. KUMARASWAMI RAJA:—" May I ask whether such a change as removing the flag is necessary when the official president takes charge?"

THE HON. SRI B. GOPALA REDDI:—" The president himself removed the flag."

SRI D. RAMALINGA REDDIYAR:—" Has the Collector at least by now, understood that he was under a mistaken impression?"

THE HON. SRI B. GOPALA REDDI:—" Notice Sir."

SRI P. S. KUMARASWAMI RAJA:—" Will the Hon. Minister see that such things do not happen again?"

THE HON. SRI B. GOPALA REDDI:—" It will be considered."

SRI P. S. KUMARASWAMI RAJA:—" Is it a fact that the flag was removed from one part of the building to another?"

THE HON. SRI B. GOPALA REDDI:—" I have no information."

MAHBOOB ALI BAIG SAHIB BAHADUR:—" May I know whether it is a fact that this flag was asked to be removed before the Collector took charge? Is the flag recognized by the Government of India or by this Government as Government flag?"

THE HON. SRI B. GOPALA REDDI:—" The Government issued instructions that flags used by the Indian National Congress can be unfurled over the buildings of local bodies, if the council or the board decided to do so."

SRI KALA VENKATA RAO:—" Did the Chingleput District Board pass a resolution to hoist the National Flag?"

THE HON. SRI B. GOPALA REDDI:—" Yes."

SRI KALA VENKATA RAO:—" Is it open to the retiring president or the ex-officio president to go against the resolution?"

THE HON. SRI B. GOPALA REDDI:—" It is a matter of opinion."

SRI D. RAMALINGA REDDIYAR:—" Is it a peculiar thing with this Collector alone?"

THE HON. SRI B. GOPALA REDDI :—" I am not aware."

SRI M. G. NATESA CHETTIYAR :—" May I know, Sir, why the Collector's attention was attracted to the flying of the National Flag? " (Laughter.)

(No answer.)

SRI M. G. NATESA CHETTIYAR :—Sir, I am sorry that I am not understood clearly. May I know, Sir, why the Collector's attention was riveted to the lowering of the National Flag? "

THE HON. SRI B. GOPALA REDDI :—" I am not aware of the reasons."

Conveyance allowance drawn by the chairmen or vice-chairmen of municipalities in the Presidency.

* 204 *Q.*—SRI L. SATTANATHA KARAYALAR : Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) the number of municipalities in the Presidency in which the chairman or vice-chairman draws a conveyance allowance; and

(*b*) the maximum amount drawn per mensem by any chairman?

THE HON. SRI B. GOPALA REDDI :—" (*a*) The chairman of the following eight municipalities are drawing conveyance allowance as shown below. No vice-chairman draws the allowance :—

Name of the municipality.	Amount of conveyance allowance paid to chairman and nature of conveyance.
	RS.
Bezwada	50 per mensem for a motor car.
Tiruvarur	50 ,,
Pollachi	50 ,,
Srirangam	15 ,,
Tuticorin	40 ,,
Vaniyambadi	30 per mensem for a horse and jatka.
Cochin	15 per mensem for a rickshaw.
Saidapet	40 per mensem for a motor car.

" (*b*) The maximum conveyance allowance drawn at present by any chairman is Rs. 50 per mensem."

SRI L. SATTANATHA KARAYALAR :—" The Tinnevelly Municipality wanted travelling allowance to be given to its chairman. What was the Government's reply to that request? "

THE HON. SRI B. GOPALA REDDI :—" I want notice."

SRI L. SATTANATHA KARAYALAR :—" Will the Hon. Minister consider the desirability of giving him travelling allowance when he claims it? "

THE HON. SRI B. GOPALA REDDI :—" I shall consider the proposal when it comes from the municipal council."

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Investigation of the Takkil Bridge in South Kanara and preparation of estimates therefor.

* 205 *Q.*—KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) whether the South Kanara District Board has completed the investigation of the Takkil bridge and prepared the estimates to the same as directed by the Government; and

(*b*) if so, whether it has submitted the same to the Government?

THE HON. SRI B. GOPALA REDDI:—" (*a*) The Government have no information.

" (*b*) The answer is in the negative."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—" I was told in this very House that the Government had called for estimates from the South Kanara District Board; I got a letter from the Secretary stating that the district board was asked to prepare the estimates. May I ask in what stage the matter is now? "

THE HON. SRI B. GOPALA REDDI:—" I have no information."

UNSTARRED QUESTIONS

Production and export of wool in this Province.

42 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Industries and Labour be pleased to state—

(*a*) the quantity of wool produced in this Province;

(*b*) whether any portion of it is exported to other places; and

(*c*) if so, to which places?

A.—(*a*) 51·41 lakhs of lb. according to a rough estimate.

(*b*) Yes; there are exports to foreign countries, there are coastwise exports and there are exports by rail. The figures for the past three years are as given below:—

	1934–35.	1935–36.	1936–37.
	LB.	LB.	LB.
Exports to foreign countries	1,111,657	1,192,728	1,790,652
Coastwise exports ..	16,233	21,500	34,740
Exports by rail	2,704,073	3,641,554	2,442,158

(*c*) The United Kingdom, the United States of America, Belgium, France, Germany and Turkey (Asiatic). Within India the exports are to Bombay Port, the United Provinces, Mysore and Sind.

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Government agricultural farms in the Presidency.

43 *Q.*—SRIMAN Y. V. A. BHASKARA RAO PATNAIK MAHASAYO: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) how many agricultural farms of the Government there are in the Presidency;

(*b*) the places where they are;

(*c*) the average expenditure incurred annually on each of them; and

(*d*) the cash value of the annual yield in respect of each of the farms?

A.—A statement [a] containing the information in respect of the year 1936–37 is placed on the table.

Grant of the privileges of permanent service to the workers employed in the Kerala Soap Factory.

44 *Q.*—SRI P. R. K. SARMA: Will the Hon. the Minister for Industries and Labour be pleased to state—

(*a*) what the conditions of service, scales of wages, hours of work, etc., are of the workers of the Kerala Soap Factory of the Government at Calicut;

(*b*) whether the factory has been working on a commercial basis without any loss;

(*c*) whether the Government have decided to continue the working of the factory; and

(*d*) whether the Government have considered the necessity of extending the privileges of permanent service to the workers employed in the Kerala Soap Factory?

A.—(*a*) There are two classes of workmen, skilled and unskilled. The conditions of service and hours of work are laid down in the standing orders of the Institute appended to G.O. No. 1236, Development, dated 19th September 1932, a copy of which is available in the library of the Madras Legislature. The rates of wages of unskilled workmen are regulated by the principles laid down in item 65 of Appendix 12 of the Madras Financial and Account Code, Volume II, and those of the skilled are as shown below:—

Grade.	Number.	Rate of wages per day.
1	1	Rs. 1–11–0 per day.
2	1	Rs. 23 per mensem.
	1	Rs. 19 per mensem.
	1	Rs. 18 per mensem.
3	3	Rs. 15 per mensem.
	1	Re. 0–15–0 per day.
	1	Re. 0–14–6 per day.
	1	Re. 0–14–0 per day.
	1	Re. 0–12–6 per day.
4	1	Re. 0–10–6 per day.

a Printed as Appendix V on page 151 infra.

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(b) Yes, on the whole.
(c) Yes; for three years from 1st April 1938.
(d) As the commercial concern is being continued on a temporary basis the question does not arise.

Workshops run by the P.W.D. in the province and their working.

45 Q.—Sri P. R. K. SARMA: Will the Hon. the Minister for Public Works be pleased to state—

(a) how many workshops are conducted by the Public Works Department and what the objects and policy of the Government are in conducting them;

(b) what the total and up-to-date investment in each of these workshops is and what the recurring expenditure incurred in regard to each of them is; and

(c) what the value, volume and extent of work is which could be undertaken in these workshops but have been performed by contractors during the last ten years?

A.—(a) Three workshops are maintained by the Public Works Department; one each at Dowlaishwaram, Bezwada and Madras. Those at Dowlaishwaram and Bezwada are small concerns and are maintained chiefly to meet the special and urgent requirements of works such as repairs and renewals of floating plants and lock and head-sluice machinery in the Godavari and Kistna Deltas. The workshop at Madras is maintained chiefly to deal with more intricate special repair works and the manufacture of mechanical equipment specially suited for irrigation works. The workshops undertake other Government jobs also, to avoid the shops being kept idle at any time.

(b) The total amount invested on buildings and machinery and the working expenses of each of the workshops during 1936–37 were—

	Investment.	Working expenses.
	RS.	RS.
Madras	9,54,214	82,908
Dowlaishwaram	1,47,620	27,427
Bezwada	83,000	26,075

(c) The maximum possible out-turn of the workshops is as follows:—

	LAKHS.
	RS.
Madras	5
Dowlaishwaram	2·5
Bezwada	1·2

The workshops are not working to their full capacity. Information is not available as to how much of the work that could have been done in the workshops was done by contractors.

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Nature of work done in the Public Works Department Workshop at Dowlaishwaram.

46 Q.—SRI P. R. K. SARMA: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether one of the workshops of the Public Works Department is situated in Dowlaishwaram;

(*b*) what the expenditure on labour and supervisory charges incurred in this workshop is and their proportion to each other;

(*c*) what the value, volume and nature of work done in this workshop is;

(*d*) what portion of the work coming into this workshop is done in this workshop departmentally and what portion is allowed to the contractors and other intermediaries;

(*e*) what the value, volume and nature of work done departmentally and through contractors respectively during the last ten years is;

(*f*) what the policy of the Government is in this matter and whether that policy has been observed in all the workshops of the department and if not, why not;

(*g*) whether the smithy work is done departmentally in the Public Works Department Workshop in Madras;

(*h*) whether the same work is done by contractors in the workshop at Dowlaishwaram and what the reasons for this inconsistency and difference are; and

(*i*) whether the workers at Dowlaishwaram have memorialized to the Government requesting the abolition of the contract system and the introduction of the day labour system and what the Government have done in the matter?

A.—(*a*) The answer is in the affirmative.

(*b*) The average annual expenditure on labour and supervisory charges in the workshop and the proportion to each other is as follows:—

Expenditure on labour.	Supervisory charges.	Percentage.
RS.	RS.	
52,885	7,816	14·7

(*c*) (*d*) & (*e*) The value of work done and the expenditure on contract labour and daily labour during the last ten years were—

Year.	Value of work.	Contract and piece-work labour.	Daily labour.
	RS.	RS.	
1928–29	1,25,118	46,544	11,648
1929–30	1,58,592	34,482	12,411
1930–31	1,63,073	24,607	17,826
1931–32	1,09,572	28,700	15,874
1932–33	1,26,761	25,070	12,721
1933–34	65,367	12,757	10,675
1934–35	1,03,339	17,328	15,099
1935–36	2,44,707	33,149	24,035
1936–37	1,52,833	38,404	15,767
1937–38	1,38,971	36,527	10,773

The work consists of manufacture and repair of screw-gearing shutters, lock gates, etc., for irrigation, masonry works and manufacture of record racks, iron gates, etc., for buildings and maintenance and repair of floating plant in the Godavari Delta System.

(*f*) To run the workshops economically and to avoid loss to Government it is necessary to carry out as much work as possible under the piecework (or contract) system. The Government have recently restricted the adoption of the contract system to certain kinds of works in the Madras workshops while no such restriction has been made in the case of workshops at Bezwada and Dowlaishwaram.

(*g*) The answer is in the affirmative.

(*h*) The smithy work in the Dowlaishwaram workshop was done by a contractor previously. On a representation from the Public Works Workers' Union, Dowlaishwaram, this was abolished and the work is now being done by job work system without any intermediaries.

(*i*) A representation was received in the matter. As there are no permanent day labourers in the workshop at Dowlaishwaram and as the workmen are only casual employees, it has been decided that no change need be made in the working of the smith shop and other shops from the job work system to the day labour system.

Proposal for the abolition of the piecework system obtaining in the Public Works Department workshops in this Province.

47 *Q.*—SRI P. R. K. SARMA: Will the Hon. the Minister for Industries and Labour be pleased to state—

(*a*) what the attitude of the Government is in regard to the piecework system in the Government workshops, factories and undertakings;

(*b*) whether their attention has been drawn to the recommendations of the conciliator appointed in the Sri Ganeshar Aluminium Factory dispute regarding the piecework system;

(*c*) whether the Government have agreed to give up definitely the piecework system in the Public Works Department Workshop while settling the last labour dispute; and

(*d*) whether the same policy will be followed in the Dowlaishwaram, Bezwada, and other workshops of the department?

A.—(*a*) Piecework system is prevalent in the Government Press, Madras. The question of its abolition is under consideration. In the Public Works Department

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workshops at Madras, most of the works are done on the daily labour system, and piecework system is confined to certain special works, while in the Public Works workshops at Dowlaishwaram and Bezwada, there is no permanent day labour force and hence all the works are done on job work system which is almost the same as piecework system. In the Industrial Engineering Workshop, Madras, day labourers can be required to take up work on piecework rates.

(b) Yes.

(c) The Government agreed to give up the contract or piecework system in the workshop except in the case of foundry, pattern, instrument shop, safe and lock repair work, wooden shutter and carpentry work.

(d) The Government have decided that no change is called for in the existing system.

Proposal for the introduction of suitable scales of pay for those working on the piecework system in Government Press, Madras.

48 *Q.*—Sri P. R. K. SARMA: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether the piecework system is largely prevailing in the Government Press, Madras;

(b) what the number of workers working under the system in the Government Press and its branches is;

(c) what the average income of workers in each trade category working under the system is;

(d) whether it is a fact that the workers employed under this system in the Government Press are not its permanent employees;

(e) whether, though they are permanent employees subject to all the restrictions, conditions and stipulations, they are not guaranteed regular full day's work every day;

(f) whether, when work is not available for them, they are kept idle and denied the remuneration for such enforced periods of "no work";

(g) whether the workers have been appealing to the Government to abolish the piecework system and introduce suitable scales of wages instead;

(h) how many appeals, memorials, petitions, etc., have been received by the Government and other authorities of the department from the workers and their unions in this matter during the last ten years;

(i) how many deputations, interviews and personal representations have been made by the workers or their unions; and

(j) what action the Government took so far on the representations, memorials, petitions and deputations?

A.—(*a*) Yes.

(*b*) The existing strength is 627.

(*c*) Based on an average strength of 502 the monthly earnings classified under different stages are as below. The figures are based on the average for the past five years:—

Above Rs. 70	.. ..	24
Between Rs. 61—70	.. .. ..	20
" Rs. 51—60	.. .. ..	40
" Rs. 41—50	.. .. ..	98
" Rs. 31—40	.. .. ..	160
" Rs. 26—30	.. .. ..	59
" Rs. 21—25	.. .. ..	44
Below Rs. 20	.. ..	57

(*d*) The establishment consists of both permanent and temporary workers. The existing fixed strength of permanent establishment is 263. The temporary establishment will fluctuate with reference to the pressure of work in the Press.

(*e*) The service conditions of pieceworkers, both permanent and temporary, are almost identical with other salaried employees of the Press and they generally get a day's work except during extreme slack season which is inevitable under the piecework system. The men in the usual course are therefore expected to earn their full day's wages according to their individual capacity to turn out work.

(*f*) No waiting time due to absence of copy is paid to them.

(*g*) Yes.

(*h*) Some have been received.

(*i*) Some have been made by the workers and their unions.

(*j*) The question is under the consideration of Government.

Working of the Government Press Workers' Union.

49 *Q.*—Sri P. R. K. SARMA: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) when the Government Press Workers' Union was recognized officially by the Government;

(*b*) what its actual membership is and its proportion to the total labour force of the Press;

(*c*) how many representations were made by the Union since the grant of recognition to the Superintendent and other authorities of the department and on how many matters; and

(*d*) how many of the representations have been considered favourably by the Superintendent or the authorities of the department?

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A.—(*a*) On 11th February 1938.

(*b*) 1,105; 64 per cent.

(*c*) About 130.

(*d*) About 45 by the Superintendent, Government Press. There are now about 20 under consideration by Government.

Grant of receipts by the village authorities for payment of assessment.

50 *Q.*—Sri K. VENKATAPPAYYA: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether there is any rule making it compulsory on the part of the village authorities to grant receipts for payments of assessment made to them; and

(*b*) if not, whether the Government will be pleased to pass such a rule?

A.—(*a*) The answer is in the affirmative.

(*b*) Does not arise.

Transfer of gazetted medical officers from the City Government hospitals to mufassal hospitals and vice versa.

51 *Q.*—Sri T. T. KRISHNAMACHARIAR: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) the number of gazetted officers in the City Government hospitals who have held the same substantive appointments—

(i) for more than three years; and

(ii) for more than five years;

(*b*) whether other officers qualified to hold the same appointments are available in the service of the Government; and

(*c*) if such officers are available, why opportunities are not given to them to avail themselves of the facilities afforded by the City hospitals to equip themselves better and qualify themselves for higher degrees and at the same time to give mufassal hospitals the benefit of the experience gained by medical officers who have served in the City hospitals?

A.—(*a*) The number of gazetted officers who have held the same appointments in the medical institutions in the Madras City for more than three years is 7 while those who have held them for more than five years is 21.

(*b*) There are officers qualified to hold some of the appointments.

(*c*) The mere fact that there are officers qualified to hold certain posts in the City State hospitals does not warrant the constant transfer of officers. Transfers are now being made with due regard to the interests and efficiency of the institutions concerned and also to economy.

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Extension of service to non-gazetted officers in the Judicial department.

52 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Courts and Prisons be pleased to state the number of cases in which extension of service was granted last year to non-gazetted officers in the superior services in the Judicial Department?

A.—During the year 1937, extension of service was given to 219 non-gazetted officers in the superior service in the Judicial Department.

Kitchen arrangements in the Tirumani Leper Settlement.

53 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) whether the question of having a common kitchen in the Tirumani Leper Settlement has been considered; and

(*b*) if so, with what result?

A.—After careful consideration it was decided at the time of the establishment of the settlement that central kitchens should be provided only for children, disabled adults and Anglo-Indians and for hospital diets.

The existing system of having a separate cooking place for each adult patient was dictated by the differences in the diet habits of the different patients, and has worked satisfactorily.

Expenditure on account of the Leper Settlement, Tirumani.

54 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) the number of inmates last year in the Leper Settlement, Tirumani;

(*b*) the total cost of the settlement last year; and

(*c*) what portion of it was paid by the Government?

A.—(*a*) 671.

(*b*) Rs. 1,39,854 excluding the pay of the Superintendent which is met by the Church of Scotland Mission.

(*c*) The entire amount referred to in the answer to clause (*b*) is borne by the Government.

Provision of medical relief in the Agency of East Godavari.

55 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Public Health be pleased to state the further steps, if any, proposed to be taken for providing better facilities for medical relief than those available at present in the Agency of East Godavari?

A.—There is no proposal at present to open additional dispensaries for the purpose of providing better facilities for medical relief, than those already available.

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Recommendations of the Retrenchment Committee with respect to the Forest Department.

56 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) what the recommendations made by the Retrenchment Committee in respect of the Forest Department are;

(*b*) whether the present Government have accepted any of the recommendations of the Retrenchment Committee in respect of the Forest Department; and

(*c*) if so, what they are?

A.—The attention of the hon. Member is invited to the answer given on 28th March 1938 to starred question No. 528. Some of the recommendations of the Retrenchment Committee are under the consideration of the present Government.

Statement regarding the progress made in putting down illicit tapping, distillation and sale of liquor in the Salem district.

57 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to make a statement about the progress of the prohibition campaign in Salem district since the time prohibition was started up to now in respect of putting down illicit tapping, distillation, and illicit sale of liquor?

A.—The attention of the hon. Member is invited to the report of the Collector of Salem on the working of the Madras Prohibition Act, 1937, up to the end of June 1938, published with the Press Communiqué, dated 19th July 1938, a copy of which was placed on the table of the House on 15th August 1938, with reference to starred question No. 17.

Action taken on the resolutions passed by the Madras Presidency Panchayat Conference.

58 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) whether any of the resolutions passed by the Madras Presidency Panchayat Conference have been accepted; and

(*b*) if so, what they are?

A.—The resolutions passed by the Madras Presidency Panchayat Conference are being considered in connexion with the proposals for the enlargement of the powers of village panchayats.

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Number of tanks under repair in Rajahmundry taluk.

59 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Revenue be pleased to call for information regarding—

(*a*) the number of tanks requiring repairs in Rajahmundry taluk; and

(*b*) the number of tanks under which wet cultivation ceased altogether for want of repairs?

A.—The Government do not consider it necessary to call for the information required. If the hon. Member would indicate a specific case or cases in which wet cultivation has ceased on account of failure to execute the necessary repairs, the Government will have enquiries made and the necessary action taken.

Shares, if any, held by the Provincial Government in the India Gold Prospecting and Mining Syndicate, Ltd.

60 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Industries and Labour be pleased to state whether the Madras Government have got any shares in the India Gold Prospecting and Mining Syndicate, Ltd.?

A.—The answer is in the negative.

Industrial concerns receiving State-aid.

61 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Industries and Labour be pleased to state—

(*a*) the names of industrial concerns in each district to which State-aid is given; and

(*b*) the nature of the industries?

A.—The attention of the hon. Member is invited to the answer given to starred question No. 46 asked by Sri P. Virabhadraswami at the meeting of the Legislative Council held on the 1st March 1938.

Duties and functions of the Inspector of Municipal Councils and Local Boards and his personal assistant.

62 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) what the duties allocated to the Inspector of Municipal Councils and Local Boards and his personal assistant are; and

(*b*) whether these officers make reports of their work to Government from time to time?

A.—(*a*) The duties of the Inspector of Municipal Councils and Local Boards are:

(1) To watch the financial position of municipalities and help them to improve their collections-review of demand, collection and balance statements where the collection is below 80 per cent;

(2) to inspect and report on any matter affecting a local board or municipality as Government require;

(3) to inspect periodically every district board or municipality and report to Government on its administration wherever necessary;

(4) to constitute panchayats and to watch and supervise their administration;

(5) to advise local bodies and give them the benefits of the experience of other local bodies generally with a view to help them in their administration;

(6) to exercise certain powers of Government delegated to him under the Madras Local Boards and Madras District Municipalities Acts;

(7) to distribute grants to panchayat boards for schools—incidentally to augment the spreading of elementary education in schoolless panchayat areas;

(8) to conduct elections to local bodies as election authority; and

(9) generally carry out any special orders of Government and to have a general eye on the working of local bodies and advise Government whenever required.

The Inspector is also ex-officio Director of Town-Planning and a member of the Central Road Traffic Board.

The Personal Assistant helps the Inspector in his work and in the management of his office besides undertaking enquiries and inspections entrusted to him by the Inspector.

(*b*) Reports are made on all matters requiring the orders of Government, or which the Inspector considers should be brought to the notice of Government.

Purpose for maintaining forests as reserved and unreserved.

63 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) why certain lands are kept as reserved forests and certain other lands are kept as unreserved forests;

(*b*) when these were formed;

(*c*) whether there bas since been any improvement in the annual rainfall in the province; and

(*d*) what that improvement is?

A.—(*a*) Reserved forests were constituted for the preservation of timber-producing forests and to improve the sources of fodder grass, fuel, small timber and leaves for manure or litter. There is no such classification

as 'Unreserved forest.' The hon. Member presumably refers to 'reserved lands.' Some lands are reserved if they are likely to be ultimately required as 'reserved forest,' whether for the supply of timber, of fuel, or of fodder, or are likely to be useful for grazing and not wanted for any other purpose.

(b) The reservation of blocks of forest was undertaken from 1883 when the Madras Forest Act came into force.

(c) No. No improvement in *rainfall* is expected from forest reservation.

(d) The question does not arise.

Principle of proportion, if any, between area under forests and arable land.

64 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) whether there is any data with the Government regarding the proportion that the area under forests should bear to the arable land in this province;

(b) if so, what that proportion is; and

(c) what the present proportion is?

A.—(a) & (b) The experts estimate 20 per cent of a country's total area as the happy mean between over-denudation on the one hand and overgrowth of forests on the other.

(c) The percentage of the area of forests to the total area of the Madras Presidency was 15·4 during 1936–37.

Reduction of expenditure under forests.

65 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) whether any decision has been arrived at by Government regarding the question of reducing expenditure in the Forest department;

(b) if so, what this decision is; and

(c) if not, why not?

A.—A final decision on the question of further retrenchment in the Forest department will be reached very soon.

Expenditure under the special accelerated programme of improvements to minor irrigation works.

66 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Public Works be pleased to state—

(a) the total amount spent by the Government up till the present year under the special accelerated and widespread programme of improvements to minor irrigation works; and

(b) what the future policy of Government is?

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A.—(*a*) Rs. 48·71 lakhs.

(*b*) The programme was for a period of three years from April 1935. It was accordingly wound up by the end of March 1938. Works taken up under the programme and remaining incomplete at the end of March 1938 are being carried out by the ordinary Public Works Department staff.

Construction of borehole latrines in rural areas.

67 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Public Health be pleased to state what steps have been taken to continue the work started in 1935 to construct borehole latrines in rural areas?

A.—The public borehole latrines constructed in rural areas from out of the Government of India grant of Rs. 2·50 lakhs allotted for the purpose have been handed over to the district boards for maintenance. The question of continuing the scheme with the aid of provincial funds is under examination.

Position of a joint pattadar in zamin area for relief under Act IV of 1938 in cases of default by any one or more of the other joint pattadars.

68 *Q.*—Sri R. S. MANICKAM: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) whether it is a fact that in the zamin areas lands comprised in a single patta are mostly held by more persons than one;

(*b*) whether it is a fact that the benefits of Act IV of 1938 are denied to ryots in joint patta, when one of the joint pattadars makes default in payment; and

(*c*) whether the Government propose to make suitable amendments in the Act to redress the hardship caused to a joint pattadar for no fault of his but the failure of one of the joint pattadars to pay the kist?

A.—(*a*) The Government have no information. There may be many cases of joint pattas held by more than one person in zamin areas.

(*b*) When land is held jointly by two or more persons under a patta, their liability for rent is joint and several except when the landholder has agreed to receive from each of the joint holders concerned a definite portion of the rent only. The Madras Agriculturists' Relief Act, 1938, has in no way altered the situation. The answer to this clause of the question is therefore in the affirmative.

(*c*) The answer is in the negative.

Ameliorative works undertaken mainly for the benefit of Adi-Andhras.

69 *Q.*—SRI K. SHANMUGAM: Will the Hon. the Minister for Industries and Labour be pleased to state—

(*a*) whether there are any cases where facilities such as constructing roads, repairing culverts and locating burial grounds have been effected so as to be useful mainly for Adi-Andhras; and

(*b*) if so, what the localities are where such facilities have been rendered?

A.—(*a*) Yes.

(*b*) A statement [a] furnishing the information is appended.

Stoppage of "Jallikattus" in the villages of the Madura district.

70 *Q.*—SRI N. M. R. SUBBARAMAN: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether the Government are aware that 'Jallikattus' (catching bulls when they are let loose) are held in the villages of the Madura district;

(*b*) how many were held for the last three years;

(*c*) how many accidents there were in each of the Jallikattus; and

(*d*) how many died in each of them and what action the Government have taken to prevent such accidents and loss of life?

A.—(*a*) Yes.

(*b*) 748.

(*c*) Figures for individual performances are not available. The total number of accidents is 76.

(*d*) Five deaths altogether. Police bandobust is given during each performance. The spectators are warned not to stand on the route taken by the bulls. The question of giving first-aid to the injured and equipping the police for that purpose is under consideration.

Assessment of plantations in the Anamalai Hills.

71 *Q.*—SRI N. M. R. SUBBARAMAN: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) the average value of the production of coffee, tea and other plantations in the Anamalai Hills;

(*b*) the land tax per acre for these plantations; and

(*c*) the basis of taxation for these lands?

A.—(*a*) A statement[b] is annexed.

(*b*) The rate is Rs. 3 per acre for developed lands and 10 annas per acre for undeveloped lands.

(*c*) The rates are based on the rates on similar lands in the Wynaads.

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a Printed as Appendix VI on pages 152–157 infra.

b Printed as Appendix VII on page 157 infra.

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Details in regard to the disposal of applications from the ryots of the Coimbatore district for quarrying during 1936–37 *and* 1937–38.

72 *Q.*—Sri V. C. PALANISWAMI GOUNDAR: Will the Hon. the Minister for Industries and Labour be pleased to state—

(*a*) the number of applications received from the ryots of the Coimbatore district, talukwar, requesting permission for quarrying in pursuance of the standing orders of the Collector, dated 13th January 1937, and the number of applications disposed of during 1937–38; and

(*b*) the number of such applications received and disposed of during 1936–37?

A.—The information is furnished in the statement below:—

Statement showing the number of applications received from ryots for quarrying in Coimbatore district.

Taluks.	Number of applications. 1937–38. Received.	Number of applications. 1937–38. Disposed of.	Number of applications. 1936–37. Number received and disposed of.
(1)	(2)	(3)	(4)
Avanashi	88	86	43
Bhavani	21	21	..
Coimbatore	195	195	193
Dharapuram	68	65	42
Erode	293	293	10
Gobichettipalaiyam	406	406	54
Kollegal	40	40	9
Palladam	118	118	76
Pollachi	216	216	157
Udamalpet	270	270	37
Total ..	1,715	1,710	621

Details regarding unauthorized quarrying in the Coimbatore district during the periods from 14*th January* 1936 *to* 13*th January* 1937 *and* 14*th January* 1937 *to* 13*th January* 1938.

73 *Q.*—Sri V. C. PALANISWAMI GOUNDAR: Will the Hon. the Minister for Industries and Labour be pleased to state the number of reports actually received from the village officers and the Forest Department, talukwar, in the Coimbatore district, regarding unauthorized quarrying in reserved and unreserved lands from—

(i) 14th January 1936 to 13th January 1937; and

(ii) 14th January 1937 to 13th January 1938?

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A.—The information is furnished in the statement below :—

Statement showing the number of reports received from the Village Officers and Forest department regarding unauthorized quarrying in reserved and unreserved lands from

Taluks.	(1) 14th January 1936 to 13th January 1937.		(2) 14th January 1937 to 13th January 1938.	
	Reserved lands.	Unreserved lands.	Reserved lands.	Unreserved lands.
Avanashi	..	30	..	240
Bhavani	..	4	..	11
Coimbatore	..	8	..	4
Dharapuram	..	10	..	11
Erode	..	7	..	41
Gobichettipalaiyam	..	14	..	18
Kollegal	..	3	..	1
Palladam	..	11	..	22
Pollachi	..	21	..	28
Udamalpet	..	3	..	16
Kollegal Forest Division ..	..	..	..	..
North Coimbatore Division ..	4	..	..	..
South Coimbatore Division ..	..	..	..	..
Palghat Division in Coimbatore district limits	..	..	2	..
	4	111	2	392

Details regarding the offences compounded for unauthorized quarrying of earth and silt in the Coimbatore district during 1937–38.

74 *Q.*—Sri V. C. PALANISWAMI GOUNDAR: Will the Hon. the Minister for Industries and Labour be pleased to state—

(*a*) the number of prosecutions launched against the ryots, talukwar, in 1937–38 in the Coimbatore district, for having quarried earth and silt from—

(1) reserved lands (forests), and

(2) unreserved waste lands (kuttais, tanks, ponds, wells and other porambokes);

(*b*) the number of such offences compounded during 1937–38 (talukwar); and

(*c*) the amount compounded (talukwar)?

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A.—The information is furnished in the statement below :—

Statement showing the number of prosecutions launched against ryots in Coimbatore district for unauthorized quarrying—1937–38.

Taluks.	Number of prosecutions launched against ryots in the Coimbatore district for having quarried earth and silt from; Reserved lands.			Unreserved waste lands, kuttais, tanks, ponds, wells, and other porambokes.		
	Number of cases prosecuted.	Number of offences compounded.	Amount compounded.	Number of cases prosecuted.	Number of offences compounded.	Amount compounded.
			RS. A. P.			RS. A. P.
Avanashi ..	..	3	2 4 0	9	253	1,855 14 0
Bhavani ..	1	..	..	6	113	208 12 0
Coimbatore.	..	..	..	2	1	16 2 0
Dharapuram.	..	..	..	2	18	67 1 0
Erode ..	..	..	..	2	76	717 9 0
Gobichetti-palaiyam..	..	18	31 7 0	2	18	271 3 0
Kollegal ..	..	..	..	..	1	4 2 0
Palladam ..	..	..	..	4	6	73 12 0
Pollachi ..	..	..	..	..	21	178 12 0
Udamalpet ..	..	..	..	7	4	12 13 0
Total ..	1	21	33 11 0	34	511	3,406 0 0

Details in regard to the number of cases compounded and prosecuted in the Coimbatore district for quarrying during 1935–36, 1936–37 *and* 1937–38.

75 *Q.*—Sri V. C. PALANISWAMI GOUNDAR: Will the Hon. the Minister for Revenue be pleased to state the number of cases compounded and the number of cases prosecuted, in the Coimbatore district (talukwar) in the following years, for quarrying in reserved and unreserved areas:—

1935–36;
1936–37; and
1937–38?

A.—The information is furnished in the statement [a] appended.

Rate of assessment on land fit for the cultivation of tea and coffee.

76 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) the highest and lowest revenue for an acre of land fit for cultivating tea and that for cultivating coffee;

(*b*) what the assessment originally fixed was; and

(*c*) whether this was enhanced thereafter and if so, how many times and at what rate?

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[a] Printed as Appendix VIII on page 158 infra.

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A.—The assessment is on the land and it is fixed with reference to the productive capacity of the soil. The ryot is at liberty to grow any crop he likes (provided that conditions are favourable for raising such crops). In certain tracts such as the Wynaad, Shevaroys, etc., there is a separate class of lands actually cultivated with special products such as coffee, rubber, etc.; they are called estate developed lands and are assessed generally at Rs. 3 per acre. Previous rates of assessment have varied from time to time and differently according to the history of the tracts. The rates of assessment on such land and the changes therein can be obtained from the various settlement reports of the tracts referred to.

Details regarding the quantity of imported, mill-made and handwoven cloth consumed in the Presidency in each of the last five years.

77 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Industries and Labour be pleased to state—

(*a*) the total quantity of cloth consumed in the province in each of the last five years;

(*b*) the percentage imported from outside the country;

(*c*) the percentage manufactured by mills worked by power; and

(*d*) the percentage made by handlooms?

A.—The information required is given in the statement below:—

Statement showing the total consumption of cotton cloth (excluding fents) in the Madras Province, percentage of foreign imports and percentages produced by Indian mills and handlooms.

Year.	Total consumption in million yards.	Percentage of imports of foreign origin.	Percentage produced by mills in India.	Percentage produced by handlooms.
1933–34	468·61	19·64	25·50	54·86
1934–35	519·19	17·66	24·92	57·42
1935–36	533·03	17·51	23·04	59·45
1936–37	542·14	14·25	26·01	59·74
1937–38	507·81	9·77	38·18	52·05

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Working of the radio sets installed in municipalities and rural areas.

78 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) the number of radio sets allotted for each district;

(*b*) how many in rural areas and how many in municipalities; and

(*c*) the nature of work done since they were set up?

A.—(*a*) & (*b*) The Government have undertaken to install and maintain receiver sets only in rural areas, in accordance with the distribution given in the statement[a] annexed. Municipal sets are paid for and maintained by municipalities and the Government supply receiver sets only to such of those municipalities as desire to get the sets supplied through the agency of Government.

(*c*) The question is not clearly understood. On the assumption that the hon. Member desires to know what progress has been made so far, the following information is furnished: Seven sets in Salem, four in Chittoor and one set in Ponneri, Chingleput district (as an experimental measure) have been installed. No sets have yet been supplied to municipalities, but arrangements will be made to supply them after they obtain the licences from the Postal department, which they have been asked to apply for.

Policy of Government in regard to the establishment of village and panchayat courts in the Province.

79 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(*a*) whether the information called for in respect of question No. 547 of 29th March 1938 (starred) has been received;

(*b*) if so, what the number of villages, without village or panchayat courts, is;

(*c*) the reasons for the same; and

(*d*) what the policy of the Government in this behalf is?

A.—(*a*) The answer is in the affirmative.

(*b*) 10,622.

(*c*) The non-existence of a village or a panchayat court, to exercise jurisdiction over the villages, is due to one or other of the following causes:—

(1) Village headmen are not sufficiently educated, or are not competent to exercise the powers of a village munsif.

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[a] Printed as Appendix IX on page 159 infra.

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(2) Village headmen have not applied for sanads.
(3) Village headmen are acting men or do not reside in the village.
(4) Villages are small and are thinly populated. In some cases they are uninhabited.
(5) There is no litigation to be decided by courts.
(6) Higher civil and criminal courts are available in the neighbourhood.

(*d*) The question, as to the steps to be taken to provide courts for those villages which at present have not got one, is under the consideration of the Government.

Admission of girls not included in the list of ' eligibles ' of the S.S.L.C. Examination for collegiate study.

80 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether there is any Government Order directing the admission of girls into colleges even when they have not passed the S.S.L.C. examination;

(*b*) the number of girls that sought admission in each college in each year since the Government Order was issued;

(*c*) the number admitted during the same period;

(*d*) how many of them secured a pass in the University Examinations; and

(*e*) whether the Government Order mentioned in (*a*) will be continued?

A.—The eligibility of holders of Secondary School-Leaving Certificates for admission to University courses of study is determined by rules framed by the University authorities. There is no Government Order on the subject.

Provision of house-sites to Harijans in the Tanjore district.

81 *Q.*—SRI S. C. BALAKRISHNAN: Will the Hon. the Minister for Industries and Labour be pleased to state—

(*a*) whether the Government are aware of the difficulties felt by the Harijans of the Tanjore district for want of suitable sites for houses; and

(*b*) if so, what steps the Government have under consideration to help them?

A.—Government's information is, not that the Harijans suffer from want of suitable house-sites but that they are anxious to own the sites on which their present houses stand. It is reported that 99 applications for the acquisition of such sites are pending with the Collector. The

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Government's policy in the matter was explained in G.O. No. 859, Development, dated 27th May 1936, which has been made available to the Press. Specific cases of hardship brought to the notice of the authorities will be enquired into and suitable action taken.

Repairs to the anicut across the Varathamma river, Ayakudi zamin, Palni taluk, Madura district.

82 *Q.*—SRI S. C. BALAKRISHNAN: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) what the percentage of the enjoyment rights of the Government is in the Varathamma river, Ayakudi zamin, Palni taluk, Madura district;

(*b*) whether the Government are aware of the fact that there are serious repairs in the anicut of the above river;

(*c*) whether the Government have received any information from the Zamindar of Ayakudi, regarding the above matter; and

(*d*) whether it is the duty of the Government or the zamindar to have the above repairs effected?

A.—(*a*) There is no definite apportionment of the rights in the river between the zamindar and the Government. Low water was distributed by two vents in the head-sluice at the anicut, the right branch supplying only zamin lands and a dividing dam in the left branch diverting the Government share of the water in that branch back into the river.

(*b*) The floods of November 1935 caused serious damage to the anicut.

(*c*) & (*d*) The zamindar submitted petitions to the Collector of Madura on the subject drawing his attention to the damage caused to the anicut and requesting him to have the necessary repairs executed at the cost of both the zamindar and the Government. The Collector, after examining the matter, informed the zamindar that there was no precedent or reason for the Government contributing towards the repair of the anicut.

Facilities available for the treatment of leprosy in districts.

83 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) the probable number of lepers in each district; and

(*b*) the facilities available for them for treatment in such districts?

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A.—Statements [a] showing the registered number of cases and the number of treatment centres is laid on the table. The number of lepers in the Province cannot be estimated with any accuracy unless a survey over the whole Province is undertaken.

Details regarding the institutions in the Presidency for the treatment of tubercular patients.

84 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) the number of institutions where treatment is given to tuberculosis patients;

(*b*) by whom each is maintained;

(*c*) the number of beds in each; and

(*d*) where each institution is situated?

A.—A statement[b] showing the information is laid on the table.

Number of tubercular patients in each district.

85 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Public Health be pleased to state the probable number of tubercular patients in each district?

A.—Information as to the number of people suffering from tuberculosis in each district in this Presidency is not available. But a statement showing the districtwar number of patients treated for tuberculosis in all the medical institutions during 1936 is given in the annual returns of the civil hospitals and dispensaries for 1936.

Selection of candidates by the Madras Public Service Commission last year.

86 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Prime Minister be pleased to state—

(*a*) the revenue derived from applicants to the Madras Public Service Commission last year;

(*b*) the number of applications received during the same year;

(*c*) the number selected; and

(*d*) how many of them have since been appointed?

A.—(*a*) Rs. 47,854.

(*b*) 4,465.

(*c*) 1,026.

(*d*) 874.

The above information relates to the official year 1937–38.

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[a] Printed as Appendix X on pages 160–161 infra.

[b] Printed as Appendix XI on pages 161–162 infra.

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Number of candidates selected and appointed in each year since the constitution of the Madras Public Service Commission.

87 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Prime Minister be pleased to state the number of candidates selected by the Madras Public Service Commission who were given employment in each year since the Commission was started?

A.—The Government have no such tabulated information ready and regret to have to say that the collection and compilation of the tabulated information asked for would involve an amount of time, labour and expense which, in the opinion of the Government, would be quite disproportionate to any useful purpose which might be served.

Cultivation of Batavia and oranges.

88 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) the extent of land in each district in which Batavia and oranges are grown; and

(*b*) the value of each such crop raised during the last year?

A.—(*a*) A statement [a] is attached.

(*b*) The value of the production in 1935–36 was estimated at Rs. 12,55,300 for all varieties and Rs. 3,76,000 for Batavian oranges.

Cost of materials purchased from outside India for the Department of Electricity.

89 *Q.*—Sri K. R. KARANT: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) the total cost of materials purchased from outside India for the Department of Electricity in the years 1935–36, 1936–37 and for 1937–38;

(*b*) the different countries from which they were purchased; and

(*c*) the amount of purchase from each of the countries in those years?

A.—The information required is given in the Annexure [b].

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[a] Printed as Appendix XII on page 162 infra.

[b] Printed as Appendix XIII on page 163 infra.

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Cost of materials purchased from outside India for the Public Works Department.

90 *Q.*—SRI K. R. KARANT: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) the total cost of materials purchased from outside India for the Public Works Department in the years 1935–36, 1936–37 and for 1937–38;

(*b*) the different countries from which they were purchased; and

(*c*) the amount of purchase from each of the countries in those years?

A.—The information required is furnished below:—

Year.	Total cost of materials purchased from abroad.			Country of origin and the cost of articles purchased from each country. England.			United States of America.		
	RS.	A.	P.	RS.	A.	P.	RS.	A.	P.
1935–36 ..	1,94,482	4	6	1,93,475	1	10	1,007	2	8
1936–37 ..	62,332	1	9	61,932	1	9	400	0	0
1937–38 ..	20,535	10	9	17,757	9	9	2,778	1	0

Progress of expenditure on capital works by the Public Works Department.

91 *Q.*—SRI K. R. KARANT: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) the total amount spent for capital works in the Public Works Department excluding electricity in the five years 1933–34, 1934–35, 1935–36, 1936–37 and 1937–38 and the amount provided for in the budget for the current year; and

(*b*) the amounts thereof in respect of such main heads as (*a*) roads, (*b*) buildings, (*c*) bridges and (*d*) irrigation?

A.—The hon. Member apparently wants to know the amounts spent on original works (i.e., excluding works of maintenance and repairs). The expenditure on such works is given in the following statement:—

	1933–34.	1934–35.	1935–36.	1936–37.	Revised estimate, 1937–38.	Budget estimate, 1938–39.
	RS. (lakhs.)	RS. (lakhs.)	RS. (lakhs.)	RS. (lakhs.)	RS. (lakhs.)	RS. (lakhs.)
1 Buildings ..	20·89	21·69	22·01	26·36	38·48	33·37
2 Communications* (Roads and Bridges)	5·63	4·80	7·00	2·58	6.81	4·61
3 Irrigation ..	44·80	33·56	41·06	37·47	29·31	13·50

* Figures are not available for roads and bridges separately.

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Revenue and expenditure for the different districts.

92 *Q.*—SRI K. R. KARANT: Will the Hon. the Prime Minister be pleased to state—

(*a*) the figures for revenue and expenditure of the Madras Government under main heads as actually collected and expended in the different districts of the Madras Province for the latest three years available; and

(*b*) the income and expenditure in respect of central heads of departments of Government which are not covered by the previous clause?

A.—(*a*) The figures of revenue and expenditure under the various heads by districts are available only in the books kept by the Accountant-General and considerable time and labour and probably special staff would be necessary in order to compile them separately for all the districts. Even the Accountant-General does not and cannot compile figures by districts under the heads relating to the Forest department and the Public Works Department, since their accounts are kept departmentally and the unit is the division of the department concerned and not the Revenue district. The system of classification in the accounts in force from 1st April 1937 also differs in many ways from that in force in 1935–36 and 1936–37, and a considerable amount of time and labour would be required for re-arranging the figures of 1935–36 and 1936–37 so as to put them on the same basis as those for 1937–38. The Government do not therefore consider that it is worth while to compile district figures for these three years especially as the important transactions relating to irrigation, electricity schemes, etc., could not be included. The figures of revenue and expenditure by districts for 1936–37 under certain heads of account are available with the Government and a statement [a] containing them is laid on the table.

(*b*) This Government has no information.

Memorandum from Sri K. R. Karant in the matter of the Buckingham Canal.

93 *Q.*—SRI K. R. KARANT: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether Government received some time ago any memoranda from the questioner on the Buckingham Canal;

(*b*) what orders have been passed till now on the different points contained therein; and

(*c*) what points still remain for decision?

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[a] Printed as Appendix XIV on page 164 infra.

28th November 1938]

A.—(*a*) The answer is in the affirmative.

(*b*) & (*c*) A statement [a] showing the various points suggested in the memorandum and the action taken by Government thereon is appended.

Promotion of clerks as Sub-Registrars and their claims for preferments vis-a'-vis *the Reserve Sub-Registrars recruited direct.*

94 *Q.*—Sri V. S. R. M. VALLIAPPA CHETTIYAR: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) the number of clerks promoted as Sub-Registrars during the last five years districtwar;

(*b*) the number of clerks promoted as Sub-Registrars from the Office of the Inspector-General of Registration during the last five years;

(*c*) the numher of direct recruits as Sub-Registrars in the last five years;

(*d*) whether it is a fact that direct recruits as reserve Sub-Registrars are given a preference over those clerks already acting as Sub-Registrars in the matter of promotion; and

(*e*) whether any discrimination is made between a graduate clerk and a non-graduate clerk in the matter of promotion, irrespective of their service?

A.—(*a*) A statement [b] furnishing the information is appended.

(*b*) Nine.

(*c*) There is no direct recruitment to the category of Sub-Registrars. Direct recruitment is made only to the category of Reserve Sub-Registrars. The number of direct recruits to the latter category during the last five years is 115.

(*d*) & (*e*) The attention of the hon. Member is invited to proviso (1) to rule 2 of the Madras Registration Subordinate Service Rules.

Contributions, if any, by local boards and municipalities for the treatment of patients at the Government Mental Hospitals.

95 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Public Health he pleased to state whether the district boards and the municipalities to which the in-patients of Government Mental Hospitals belong make any contribution for their treatment as in the case of persons bit by rabid dogs?

A.—The answer is in the negative.

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a Printed as Appendix XV on page 165 infra.

b Printed as Appendix XVI on page 166 infra.

Government order declining sanction for the payment of conveyance allowance to chairmen of municipal councils.

96 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) whether the chairmen of municipal councils were permitted to receive conveyance allowance till recently; and

(*b*) whether any Government order has been issued disallowing this allowance?

A.—(*a*) Chairmen of municipal councils can draw conveyance allowance after obtaining the sanction of the Inspector of Municipal Councils and Local Boards to whom the power has been delegated.

(*b*) No such order has been issued.

Publication of the Government Orders directing the admission of Harijan pupils into all educational institutions.

97 *Q.*—SRI E. KANNAN: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether it is a fact that Government have issued orders to compel the admission of Harijan children into all recognized educational institutions in this Presidency, and if so, whether those orders will be placed on the table;

(*b*) whether it is a fact that the District Educational Councils have been asked to cancel the recognition of those schools that do not admit Harijan children and if so, on what date that order was issued;

(*c*) what the result of these orders is and what the number is of recognized schools that do not admit Harijans;

(*d*) whether it is a fact that till very recently Harijans were not admitted into certain schools in Malabar; and

(*e*) whether this matter was brought to the notice of the District Educational Council, Malabar, and if so, what the District Educational Council did in the matter?

A.—(*a*) & (*b*) One of the rules framed under the Madras Elementary Education Act, 1920, relating to the recognition of schools, lays down that recognition may be withdrawn from any school which refuses admission to pupils merely on the ground of the caste or community to which they belong. This rule was issued in 1935–36 and District Educational Councils have since then been repeatedly asked to enforce the provisions of the rule, wherever necessary.

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(c) There has been considerable improvement in regard to the admission of children of the scheduled classes in schools not specially intended for them after the issue of the rule. The number of schools under public management held in buildings not accessible to these classes decreased from 891 in 1935–36 to 440 in 1936–37. Similar figures in respect of schools under private management are not readily available.

(d) The Government have no information.

(e) Does not arise.

Distribution among districts in the Province of the Government of India grant of 2·75 lakhs for roads.

98 *Q.*—Sri GRANDHI VENKATA REDDI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) how the Government of India's grant of two lakhs and seventy-five thousand rupees for roads has been distributed among the districts; and

(b) whether there is any difference between the allotment in the case of the Andhra districts and that in the case of the Salem and the Tanjore districts and why?

A.—(a) The grant referred to is evidently the amount of Rs. 2·75 lakhs kept in reserve with Government from the Government of India Rural Re-construction Grant. Proposals for the utilization of the reserve have been called for from Collectors.

(b) Government make no distinction between the Andhra and the Southern districts. The grants were distributed on the uniform basis of rural population.

Grant by Government to the Medical College, Vizagapatam, and expenditure on the conversion of the Rayapuram Stanley Medical School into a College.

99 *Q.*—Sri GRANDHI VENKATA REDDI: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether the Government have received the resolution passed at a public meeting held at Madras under the Chairmanship of Vemavarapu Ramadas Pantulu Garu, expressing disapproval of the Government's action in granting a smaller amount in the case of the Medical College at Vizagapatam and spending a larger amount for converting the Rayapuram Stanley Medical School into a College; and

(b) what the Government's reply is?

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A.—(*a*) Government have not received the resolution but they have seen the newspaper report of a resolution passed at a meeting of the Madras Students' Organization on 13th May 1938 regarding "the just demands of the Vizagapatam medical students."

(*b*) In view of the answer to clause (*a*) this does not arise. The Government, however, desire to state that there is no question of allotting a smaller amount to the Medical College at Vizagapatam and a larger amount to the Stanley Medical College. In the case of the Medical College, Vizagapatam, the buildings which are considered essential and sufficient for purposes of recognition have been sanctioned. There is no additional expenditure to Government on account of the raising the status of the Stanley Medical School to that of a College. The expenditure on account of the construction of additional buildings for the Stanley Medical College will be covered by the savings that would accrue on account of the abolition of the medical schools and by the sale or transfer of the medical buildings which are not required for the Medical department owing to the abolition of the schools.

Publication of the correspondence of the Provincial Government with the Government of India and the Secretary of State regarding the resolution passed by the Legislature on the formation of linguistic provinces.

100 *Q.*—Sri GRANDHI VENKATA REDDI: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether the Government will place on the table of the House the letters addressed by the Government of Madras to the Government of India and the Secretary of State, respectively, in communicating to the said authorities the resolution passed by the Madras Assembly and the Council in respect of linguistic division of provinces;

(*b*) whether the Government have taken note of the strong agitation going on in the Andhradesa for the speedy formation of the Andhra Province; and

(*c*) whether a reply has been received either from the Secretary of State or the Government of India with regard to the resolution of the Provincial Legislature on the linguistic division of provinces; if so, whether the same has been communicated to the Members of the Legislature?

A.—The attention of the hon. Member is invited to the answer given to starred question No. 63 asked at the meeting of the Assembly held on the 18th August 1938. The Government are doing all that should be done in the matter and deem it inadvisable to publish pending correspondence between them and the Secretary of State.

Publication of the correspondence, if any, sent after 14th July 1937, by the Prime Minister to the Working Committee of the Congress on the Andhra Province Movement.

101 *Q.*—SRI GRANDHI VENKATA REDDI: Will the Hon. the Prime Minister be pleased to state whether subsequent to 14th July 1937 he had sent anything in writing on the Andhra Province movement to the Working Committee of the Congress or to the Secretaries of the said Committee; if anything had been sent, whether there is any objection to publish the same?

A.—The answer to the first part of the question is in the negative and consequently the second part does not arise.

Enhancement of college fees and agitation of the student population in respect thereof.

102 *Q.*—SRI GRANDHI VENKATA REDDI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) the reasons for the enhancement of college fees;

(*b*) the increased income the enhancement of college fees is estimated to yield in the Government colleges in the Province;

(*c*) whether the Government have gone through the accounts and considered whether this amount could be secured by means of retrenchment;

(*d*) whether they have considered the difference in cost between the Honours and the Pass Courses, as far as the candidates who take them are concerned;

(*e*) whether in enhancing the fees equally in the case of all they have taken into consideration the difference in cost to the candidates concerned, between the science and the other courses;

(*f*) whether in the matter of raising the fees equally for all, the Government have considered the feasibility or otherwise of charging higher fees in the case of the well-to-do and lower fees in the case of the poor; and

(*g*) whether the Government have taken note of the agitation among the student-population caused by the enhancement of college fees and of the resolutions passed by them at meetings, urging that the fees should not be raised?

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A.—(*a*) The increase in college fees was ordered with a view to reduce to some extent the disproportionately large expenditure incurred on education in colleges compared to the revenue realized from tuition fees.

(*b*) Particulars have been called for.

(*c*) Fees may be raised irrespective of any retrenchment that may be effected.

(*d*) *to* (*f*) All relevant considerations have been borne in mind in sanctioning an enhancement of fees.

(*g*) Yes.

Remission of water-cess in the Polavaram Island Project.

103 *Q.*—Sri KALA VENKATA RAO: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) in what manner Government have granted remission of water-cess in the Polavaram Island Project;

(*b*) (i) whether the public have demanded that the water-cess in the Polavaram Island Project might be reduced at least to the level of the cess in the rest of the delta; and

(ii) if so, what the Government have decided to do in the matter?

A.—(*a*) The sanctioned rate of water-cess under the project is Rs. 10–8–0 per acre for a first wet crop. With a view to encouraging irrigation under the project, the Government sanctioned the levy of a concessional rate of Rs. 7–8–0 per acre during faslis 1344 and 1345. During faslis 1346 and 1347 the rate was still further reduced to Rs. 5–12–0 per acre for a first wet crop in view of the general land revenue concessions granted for the main delta.

(*b*) (i) Yes.

(ii) Please see the answer to (*a*) above. The matter will be considered along with the general land revenue policy.

Rights of the muttadars of Gudem Agency over the tanks dug by the ryots for irrigation of their lands.

104 *Q.*—Sri P. PEDDA PADALU: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether the muttadars of Gudem Agency have got any rights with regard to the use of tanks dug by ryots for the cultivation of their lands; and

(*b*) if so, what those rights are?

A.—The Government have no information but have called for a report.

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Proposals, if any, for the stoppage of further recruitment to the Indian Civil Service.

105 *Q.*—SRI H. SITARAMA REDDI: Will the Hon. the Prime Minister be pleased to state whether it is a fact that the Madras Government propose to move the Secretary of State for India to stop further recruitment of I.C.S. people to the Madras Province?

A.—It is presumed that the question is about recruitment in England. The Government have not so far taken up this question.

Progress of the ten years programme of rural water-supply.

106 *Q.*—SRI V. VENKATASUBBAYYA: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) the number of wells sunk in the several districts of the Province in pursuance of the present Government's ten years programme of rural water-supply;

(*b*) the total amount spent on the wells up to date; and

(*c*) whether the sum of fifteen lakhs set apart for the purpose is to be spent by the District Collectors, or through the agency of the district boards?

A.—(*a*) & (*b*) The Government have called for the information.
(*c*) By District Collectors.

Alleged paucity of qualified people to teach Hindustani.

107 *Q.*—KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR: Will the Hon. the Minister for Education and Legal Departments be pleased to state whether in view of the fact that there are not sufficient number of qualified people to teach Hindustani, Goverument have exempted and permitted the authorities to employ unpassed but competent persons as Hindustani teachers to teach in both Arabic and Nagari scripts or in any single script?

A.—The hon. Member is referred to G.O. No. 1851, Education, dated 4th August 1938, a copy[a] of which is placed on the table.

Condition of the live-stock during the last two decades.

108 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) whether the live-stock in this presidency has increased or decreased during the last twenty years; and

(*b*) what the various schemes the Government have on hand are for developing the live-stock and for supplying pedigree bulls?

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[a] Printed as Appendix XVII on page 166 infra.

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A.—(*a*) There has been an increase.

(*b*) Bulls for breeding are maintained at suitable centres in the districts, such as Agricultural stations and Veterinary hospitals. Premia are paid by Government towards the maintenance of breeding bulls by private bodies and individuals on approved conditions. Breeding bulls are also loaned to district boards and municipalities or other local bodies, co-operative societies, etc., for grading up the local stock. The Government have also sanctioned grants to certain district boards for the purchase of bulls. In addition to the breeding station at Hosur, it is under contemplation in connexion with the budget for 1939–40 to open two more farms, one for breeding buffalœs and the other for Ongoles in the Guntur district. The creation of a Livestock Development Fund for the purpose of making grants for livestock improvement is also under contemplation.

Application of the provisions of the Hindu Religious Endowments Act (Act II of 1927) *to Jain Religious Endowments.*

109 *Q.*—H. S. HUSSAIN SAHIB BAHADUR: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) whether any and what Jain Religious Endowments have been brought under the operation of the Madras Hindu Religious Endowments Act (II of 1927) as provided therein;

(*b*) if not, why not;

(*c*) what Act is now applicable to Jain Endowments;

(*d*) whether the Government propose to bring in separate legislation with regard to Jain Endowments; and

(*e*) if not, why not?

A.—(*a*) & (*b*) So far no Jain Religious Endowments have been brought under the scope of the Hindu Religious Endowments Act. The Government have not received representations for inclusion of Jain endowments within the scope of the Hindu Religious Endowments Act.

(*c*), (*d*) & (*e*) The Religious Endowments Act XX of 1863 applies to such endowments. The Government do not propose to introduce a separate legislation with regard to Jain endowments.

Measures to balance the loss of revenue due to the introduction of prohibition.

110 *Q.*—H. S. HUSSAIN SAHIB BAHADUR: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) the estimated loss of revenue in the districts of Cuddapah

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(b) the total loss of revenue in all the three districts where prohibition has been enforced;

(c) what the total excise revenue of the Province was before the introduction of prohibition;

(d) how long Government will take to complete its policy of prohibition throughout the Province; and

(e) in what ways, if any, the Government propose to make up this loss of revenue to the Province?

A.—(a) Cuddapah ... Rs. 7 lakhs per annum approximately.
Chittoor ... Rs. 9 lakhs per annum approximately.

(b) Rs. 42 lakhs per annum approximately.

(c) About 4 crores per annum.

(d) No definite statement can be made on this point at present.

(e) Retrenchment and new sources of revenue, if the House will extend its full co-operation.

Missionary aided elementary schools in the Kurnool district.

111 *Q.*—SRI S. NAGAPPA: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) the number of missionary aided elementary schools in Kurnool district; and

(b) in how many villages there are missionary aided elementary schools when there is already a Hindu Boys' School?

A.—(a) On 31st March 1938, there were 413 Mission schools for boys and 7 schools for girls.

(b) The information is not readily available.

[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

III.—REPORT OF THE MADRAS ESTATES LAND ACT COMMITTEE.

* THE HON. SRI T. PRAKASAM:—"Sir, I present the report of the Madras Estates Land Act Committee appointed by a resolution of the House on 25th September 1937 and further I suggest to you, Sir, that 20th January 1939 might be fixed for the consideration of the report."

MR. SPEAKER:—"In consultation with the Hon. the Leader of the House, I have fixed 20th January 1939 as the date for the consideration of the Report of the Estates Land Act Committee."

IV.—CONDOLENCE RESOLUTION *RE* THE DEATH OF KAMAL ATATURK.

* THE HON. SRI C. RAJAGOPALACHARIAR:—"Sir, before taking up the usual business of the House, I crave your permission to move that 'This House places on record its profound sorrow at the passing away of Kamal Ataturk and its heart-felt sympathy with the Turkish Nation.'

[Sri C. Rajagopalachariar] [28th November 1938

" Sir, the House is aware that on 10th November last, the spirit that chose to abide for a time in the body of Kamal Ataturk cast off its earthly tenement. The illustrious history of the life of the man whom we all learnt to call Ghazi Kamal Pasha—which title he himself discarded later—is brilliant with his defence of Gallipoli against the Allied attack in 1915, and is even more brilliant with the lasting triumphs of peace and in the rapid and successful reorganization of his people. From 1923 onwards he was universally known and admired, and I need not recount these events of his great and glorious life, until his death at the early age of 58. On behalf of the people of this Province, I ask for your permission, Sir, to move this resolution to record our grief and to say that this House joins with the people of Turkey in their grief over the death of their great leader and their President whom they call by the just and unrivalled title of 'Father of the people.' We tender to them our most sincere sympathy on the death of Kamal Ataturk, who was the head of the Turkish Republic and dictator for fifteen years. Amongst all the dictators of the world, he was unique; not a voice was heard by any of us against him either from within or outside Turkey. He was a true father of his own people; unlike other dictators, he was no enemy of anybody else. We do not know whom to admire more, Kamal Ataturk or the sons and daughters of the country which he ruled. May God bless these people and protect them from all harm for all time, even as they were protected during the lifetime of this great warrior and statesman! I move, Sir, that this House do record its feelings of sorrow and I suggest that you might ask that the approval of the House might be expressed by Members standing in their places in silence."

KUMARARAJA M. A. MUTHIAH CHETTIYAR OF CHETTINAD:—" Sir, I beg to associate myself with this resolution and with the sentiments expressed by the Hon. the Leader of the House, and I need hardly tell hon. Members of the House that Kamal Ataturk, though a great idealist, was more than an idealist: he was a great practical statesman. It is needless for me to recount the great services he rendered during the War and the greater services he rendered to his country during the period that followed the War. The world has recognized that, but for this able statesman, Turkey would not be what it is to-day. One important lesson which other nations might learn from his life, is that even in the matter of day-to-day social reform, he was able to carry it out with the consent of the people and without any hitch. He was considered not only by the Turkish nation but by all nations to be a great idealist who had got practical wisdom in administration. He was more than an idealist. It is right when I say that the world has lost in him a great statesman; their country, a very great leader. Our sympathy goes out in a large measure to the Turkish people who have been greatly benefited by his rule."

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ABDUL HAMEED KHAN SAHIB BAHADUR:—" It is really fitting that this House do record with profound sorrow the death of easily the greatest man of our times, Kamal Ataturk. The Hon. the Leader of the House has spoken in very suitable terms with regard to the resolution, and he has dealt with briefly the great achievements of Kamal Pasha. Kamal Ataturk's death is not only a great calamity to the Turkish nation, but it is also a great and irreparable loss that humanity has suffered, for in his lifetime he has left for the world many a lesson to follow profitably. The Hon. the Leader of the House has already told us how from very young days he showed signs of leadership, and how, when an opportunity arose, he gave ample proof of that leadership and statesmanship, and above all of what a great soldier he was. He saved his country from the impending disaster which was averted by his ability and by the command that he had over the people that followed him, in those days. Everybody knows that at a time when Turkey was attacked by the Allies and was overrun by the Greek forces, he came up on the scene and rescued the nation from the disaster, and won a great victory at Gallipoli, which turned the trend of events in favour of Turkey and against the Allies, and which made a beginning for a totally different history for the Turkish people and the Turkish nation. But for the coming on the scene of a great leader like Kamal Ataturk, the Allies would have swept Turkey off the map of Europe. Luckily for Turkey, this great hero came on the scene in time, who saved the country and then set out to reconstruct the Turkish nation, so that Turkey could now be considered to be one of the first-rate powers of the world. The country which was regarded as the ' sick man of Europe ' is to-day on account of his achivements one of the foremost powers of the world. 4 p.m

" Sir, he introduced many a reform. It will be wrong and improper for us to get away with the idea that he gave up religion and that he was altogether a heretic, or that he gave up Islam. It will certainly be improper for anybody to say that about that great man. There are records to show that he was a true Muslim, and one who gave Turkey proof of the real spirit of Islam. It will be wrong to say that he was a destroyer of the Khilafat or Islam in his country. It will not be improper to make use of this opportunity to tell us in this country to follow his illustrious example. Sir, his example, illustrious as it is, is good for all nations, particularly for those nations which wish to reconstruct themselves and to rise to a higher place in the comity of nations. It is certainly a very great example for India, and I am sure that we will follow the example that he has left for us, and that we will benefit from what he has shown to us in his lifetime. The Hon. the Leader of the House referred to his dictatorship and showed very clearly that his dictatorship was

different from the dictatorship of others that are available in Europe. His dictatorship was a benevolent dictatorship; it was not aggressive; it was not based on earth-hunger; it was not based on the desire to conquer, or to create any struggle in, the neighbouring countries. The main object of his dictatorship was to raise his country to the level of a first-rate power, and he very greatly succeeded in achieving that object. The one other lesson that we in this country could learn from the great life of Kamal Ataturk is the treatment that he meted out to the minorities in the country. There was no question of treating the minorities differently from the majorities. As a matter of fact, we know in his Cabinet there was almost an equal number of Christians and Turks. He did not bargain or higgle with the minorities in the the treatment that was meted out to them. That is another great lesson that we can learn from him.

" Sir, if it were possible to show our tribute in a practical manner to the memory of the great hero who has passed away, I, on behalf of my group, would have suggested the adjournment of the House for the day. If it were possible, I thought I could make this suggestion, and I am sure the Hon. the Leader of the Opposition is agreeable to the procedure, and the entire House agrees, as it has been done everywhere. It would certainly be a very fitting manner in which we can express our respect to the great leader of the Turks."

BASHEER AHMED SAYEED SAHIB BAHADUR:—" At the time when we see the conflict between the forces of dictatorship and the forces of democracy, it may rather strike one as strange that we should to-day be passing in this House a resolution mourning over the loss of Kamal Ataturk. Sir, there is room in political philosophy and in the history of the world for dictatorship as well as democracies. It is very often stated that in a country like India. things should move far faster than we see to-day. Probably, Sir, that remark is not quite justified, considering the circumstances and the forces of reaction through which we are passing in the present day. But all the same, there is a time when the democratic forces and the democratic ideals will strike some to be most desirable and most suitable. Sir, the history of Kamal Ataturk does not really stop with his doings for his own country or for his own people. He is to be classed as one of the most successful of dictators. His was a unique life, not like that of Hitler or Mussolini but a type of dictator, who, without force, or the show of force or the use of force, but with the love of all his people, carried on the Government for fifteen years. Though a dictator, he was elected from time to time as the President of the Republic of Turkey. Therein lay the unique feature of his having been the dictator and ruler and at the same time the constitutional President of the Republic of Turkey.

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" Sir, the greatness of Kamal Ataturk lies not exactly in the War that he fought at Gallipoli in 1915, but in the fact that he defeated English diplomacy which was responsible for the dismemberment of Turkey. The failure of Mr. Lloyd George, then Prime Minister, was brought about by the statesmanship and diplomacy of Kamal Pasha and his colleague Ismet Pasha, now his successor. Since then, things turned, and efforts could be made for the reform and rejuvenation of the Turkish nation. Then, Sir, the time was come for Kamal Ataturk to carry out the internal reform and reorganization of his country. He carried out a number of reforms the true meaning and the true spirit of which have not been appreciated by several of us in this distant part of the world. He foresaw that the survival of the fittest was the law of nature, and that law had been ignored for ages past by the Turkish nation—that law is ignored even in this country by some Indians. From the moment he realized that the law of nature was being ignored, he started a programme which he succeeded a good deal in pushing through. Sir, it is a strange irony that in this country of ours while we claim to be on the one hand mourning the loss of the Ataturk, and the loss to Turkey and to the world, at the same time we fail to appreciate in our own midst the true followers and respectors of the ideals of Kamal Ataturk. I desire particularly to refer to sections of the Indian people who are not in favour of any progress being made in the matter of building a nation of our own. The one great lesson which we should emphasize on this occasion is that given by Kamal Ataturk to the world and particularly to the Muslims of this country: that religion was a personal affair and a matter of the individual, and that it shall not be associated with the State. If that lesson had been realized by us in 4-15 p.m. this country, we should be miles and miles ahead of the present generation. He really did not disturb the religious feelings or sentiments of his people; but all those revolutionary forces, all those institutions which served as an impediment or an obstacle in the way of the progress and development of a truly powerful and strong nation, he really wiped out with one stroke of his pen. Sir, he did carry out the That Law, but what is its significance? He brought into existence new laws which were entirely different from the ancient laws; he substituted the Islamic inheritance law by the Swiss code of law. What does it mean? He did bring the Latin script in the place of the Turkish script and he made the students in schools and colleges learn the Latin script. What does it mean again? It all means that the Turkish people were a servile nation, surrounded as they were by the Britishers, the Russians, the Germans and others, that they had to keep pace with the moving times and the moving ideas of the countries around them. If Kamal Ataturk had not

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foreseen that fact and if he had not carried out those reforms and removed all impediments and obstacles in the way of real progress of the nation, the Turkish nation would not be what it is to-day. Sir, he did secure independence to the Turkish nation; but the independence that he secured was more than individual liberty of conscience, or freedom of speech or freedom of worship. In fact he did not meddle with any of these. One standing example of his administration was that there were no murders of Roumanians or of Greeks or of anybody else, belonging to other nations: we did not hear anything of the kind, for the last twenty years. That showed that he followed a policy which was really Turkish and did not want to deviate in any way from the Islamic principles. That, Sir, is a lesson which he has left behind, and it behoves all of us in this country to learn the difference between the liberty of the nation and the liberty of the individual. If that lesson is learnt by us, I assure my colleagues and my countrymen that this country will become, in the not distant time, one like the Turkish nation and will save itself.

" Sir, I do want to speak more on this motion, but I do not want to take up the time of the House. I beg to associate myself with the resolution and with all the sentiments expressed thereon hitherto by the previous speakers."

* MAHBOOB ALI BAIG SAHIB BAHADUR :—" Mr. Speaker, Sir, what I am impressed with in the life of Kamal Ataturk is this: that there are moments in the life of a person and in the life of a nation, when a person becomes a rebel and the nation follows the rebel for the sake of the country. This is what happened in the case of Kamal Ataturk and Turkey. He was commanded by the Sultan of Turkey in the year 1919 to go to Anatolia, and disband the Army but for the sake of his country he became a rebel, organized the army, organized the country, risked his life and revived his country. Mr. Speaker, as I said, there may be moments in a man's life and in the life of a nation for a person to become a rebel and for the country to follow the rebel. That is what the life of Kamal Ataturk illustrates.

" The second point that I wish to submit is this : For over three hundred years, the East was considered to be inferior to the West. At least there was that inferiority complex in the Easterns. It was Turkey under the leadership of Kamal Ataturk that proved that the Easterns also were at least as good as the Westerns, whether in war or in administration. These two aspects of the life of Kamal Ataturk must be remembered, especially by Indians; and in paying a tribute to him, we will be paying a tribute to the policy and principles which enabled Turkey, under his leadership, to add to the self-respect of the East."

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MR. SPEAKER:—" I want to add a few words before this motion is put to vote. My admiration for the late Kamal Ataturk is based on two grounds—his unshakable nationalism and his extraordinary courage in effecting far-reaching reforms. He himself once said that he had only one principle, 'to see all problems through Turkish eyes and to guard Turkish interests.' He held the view that 'there are no oppressors, nor any oppressed; there are only those who allow themselves to be oppressed. The Turks are not among these; they can look after themselves; let others do the same.' He found Turkey depressed and in a state of chaos; he led it to victory and greatness.

" The reforms effected by him look more like miracles than human achievement, and deserve repeated attention. Immediately after his ascent to power, he, by law secularized the State and got the State separated from religion. He abolished the dervishes and monastic orders and confiscated their properties. He divided the Sultanate of Turkey from the Caliphate and then successively abolished both. He abolished the *fez* and made all Turkish people wear hats. He undertook a wholesale reform of the Turkish laws and introduced the German Commercial Code, the Italian Penal Code and the Swiss Civil Code. He abolished poligamy and revolutionized the laws of ownership and succession. He compelled the parties to a marriage to get clean bills of health before they could marry. He abolished the purdah system, encouraged women to shed their veils, gave them votes, admitted them into the people's party, helped them to become lawyers and doctors, and appointed them as judges and magistrates. He abolished the use of the Arabic alphabet, and introduced the Latin alphabet in its stead. He introduced the metric system and the Gregorian calendar. He ordered that day should be counted from midnight to midnight, and not according to the Islamic system from evening to evening. He encouraged literature, art, music, painting and dancing. It is wonderful that within a short time of fifteen years, he was able to introduce so many reforms and not only introduce them, but make them successful and popular. The magnitude of his achievement can be realized only when it is remembered that until his time, Turkey was a conservative nation. That he was able to achieve all this, shows alike his deep convictions and his daring patriotism and driving power. In respect of the introduction of the Latin alphabet, it is stated that, President of the Republic as he was, he himself went from village to village with blackboard and chalk and gave lessons in open places. No wonder that with such force of character and perseverance, he succeeded in his aims. In fact, he has been hailed as the greatest man and reformer whom the post-war period produced.

" The sincerest tribute which we in India can pay to his memory is to take to our hearts the noble example he has set of freedom from religious bigotry and single-minded devotion to the motherland.

The resolution was put and carried, all the members standing.

V.—CONDOLENCE RESOLUTION *RE* THE DEATH OF MOULANA SHAUKAT ALI.

ABDUL HAMEED KHAN SAHIB BAHADUR:—"I wish to move another condolence resolution, with your permission, Mr. Speaker. . ."

MR. SPEAKER:—"I have not got the motion before me."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"I shall send it on, Sir."

MR. SPEAKER:—"I think it is better we take it up to-morrow, if you don't mind."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"I have no objection."

MR. SPEAKER:—"Or, you may formally move it and we shall finish this business."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Just as you like, Sir."

MR. SPEAKER:—"I want to know whether the Leader of the House has agreed to this motion; you have not given me a copy of it even."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Mr. Speaker, Sir, you will remember that I met you yesterday. . ."

MR. SPEAKER:—"I think it is better that, the motion having been handed over to me just now, we consider the matter to-morrow. I was looking into the wording of the resolution; you have made some interlineations in it."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"In that case, we may have it to-morrow."

MR. SPEAKER:—"I shall consider the question."

GOVERNMENT BILL.

VI.—THE MADRAS PUBLIC HEALTH BILL, 1938.

4-30 p.m. * THE HON. DR. T. S. S. RAJAN:—"Mr. Speaker, I beg to introduce a Bill [a] to make provision for advancing the public health of the Province of Madras which has been duly published in the Gazette under rule 73 of the Assembly Rules, and move that it be referred to a Select Committee the names of which I shall read presently, and that the Select Committee be instructed to submit its report as soon as possible.

"Sir, a question like that of public health is a concern of almost every one, man, woman and child that claim this country as the land of their birth, and there will not be two opinions on

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[a] Published in the *Fort St. George Gazette* Extraordinary, dated 10th November 1938.

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this question that the State should take up the consideration of this subject as one of the foremost things that should be done in the discharge of its duties. It is necessary for me, therefore, to speak on this Bill as it would be very important and necessary at this juncture. But it would not be enough in introducing a fairly comprehensive Bill of this nature in a legislature, that one in charge of the Bill should not say a few words as to the necessity and importance of it. It is not my purpose here to go into the Statement of Objects and Reasons of the Bill which has been elaborately printed and placed in the hands of hon. Members of the House. The various clauses of the Bill and the summary relating to almost all the clauses of the Bill are mentioned succinctly in the Bill that has been circulated to all Members. My business here to-day is to give a brief resume of the health work in this Province and in the light in which it has been found necessary by us to introduce a Bill of this sort.

" In the first place, I want to take you through the public health work of this Province during the past few years and to draw your attention to the implications of the public health work undertaken by this Government. To-day the subject of medical treatment which is a part of the public health of this Province, has been undertaken by us, and we have in our Province medical institutions to the tune of 1,283 under the control and management of the Government; and on these 1,283 institutions we have to spend a sum of Rs. 81,34,562 annually from the budget amount which is really tax-payers' money; and for this we get an annual attendance of 17,459,434 patients. In fact, the number attending Government hospitals and institutions last year, you will know, was only 16,288,170; and within the space of these twelve months you will see that there has been a jump of nearly over 12 lakhs of people who were attending these hospitals. If you realize the vast amount spent on the treatment of diseases and the ever-increasing attendance in a geometrical progression, you will concede that however much we spend public funds for the creation of hospitals and the treatment of diseases in this Province, you will soon be reaching a stage from which you cannot possibly advance in that direction without necessary finances, and at the end of it we would not have been helpful to our people.

" Treatment of the sick is certainly the primary duty of the State, but over and above that, the right way to deal with the problem is to prevent people from getting ill. To-day the policy of the Government is not so much to multiply hospitals in the hope of giving relief to people, but to direct attention into the more rational aspect of the question, namely, the prevention of disease and thus save the people from getting ill-health. The purpose of this measure, therefore, is really to go radically into the root of the question by providing amenities which are in our possession

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and by reducing the amount of disease in the country, and in a way put a limit to the State expenditure and at the same time provide medical relief. That is the present position with regard to diseases and medical institutions in our country.

"Sir, I will now take you over to the Department of Public Health, for that will give you an idea as to what is being done in this Province with regard to public health. I may assure hon. Members that of all the Provinces in India, to-day Madras has the unique distinction of having a perfect and well-equipped sanitary service. That fact has been attested to by no less a person than Sir Frank Connor in a recent announcement he made before the East India Association in London. He was the Surgeon-General of this Province for more than three years and he also held the important post of Director-General of the Indian Medical Service. An utterance from him giving testimony to the fact that the Health Department of our Province is about the best organized in India to-day, is a thing that we should take note of. I may also state that the machinery ready for carrying out the health measures of the Government has been formulated, and not only formulated, but it has also been well laid out by experts, beginning from the Director of Public Health up to the vaccinators, ignoring of course the menials. They have all had a fairly decent amount of training in public health work, and each one has been equipped with the knowledge necessary for the purpose of working the sanitary measures. Therefore, when I say that the health work of this Province is well-manned, I must give you an idea as to how many health officers there are of the rank above vaccinators. The total number comes to 1,478 and for this staff, we are to-day providing a sum of over Rs. 31 lakhs according to the latest budget from Provincial funds and a sum of Rs. 103·4 lakhs from the local bodies. All told, the financial expenditure on the sanitary services, both by local bodies and by the Provincial Government, works up to a figure of Rs. 134·4 lakhs annually, and this sum has been growing rapidly year after year. In the course of one year we have increased the expenditure on this service by over Rs. 6 lakhs. Having spent this amount and having had the necessary man-power distributed throughout, we have not been able to operate the machinery successfully in the past; and it may naturally be asked why even with all these insanitary conditions prevail. It is of course easy for hon. Members to stand up and say, 'You may have laws, but laws won't give you good health.' It is just as much as to say that we have criminal laws in the Province and yet there is corruption. For any law to be acted upon, it must have a thoroughly well-equipped agency to operate it; and at the same time, you must have a number of people who will understand the implications of a measure to put it into practice.

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" Now, you will ask what is the existing Health Department doing? Therefore, I would like to give you a brief history of the propaganda that is being done with regard to health matters. In the year 1937, we had a number of health centres where health week celebrations and health propaganda were being carried on from week to week, and to-day there are 288 such places in the municipal towns, and 8,200 centres in the rural areas, so that the total number of centres from which the knowledge of health is being broadcasted to people both in the city and in the villages amounts to 8,488 centres and 92 lakhs of people have been benefited by this propaganda. This number has now increased to three crores and a larger number is being added from year to year since the year 1923 when first the principle of doing propaganda in health knowledge was introduced. Since then the volume of propaganda work has been growing steadily and regularly. I do not want to add to that list the number of people who take advantage of the radio which has been introduced into this country recently. I am not taking note of that at all. But those who are familiar with it know that an All-India Radio station has been installed in Madras, which has a large number of listeners all over the Province both in the towns and elsewhere. In that station to-day, they have in their programme the subject of health almost every week. An additional factor which one has to take note of, is the work done by the Health Propaganda Board and the knowledge which is imparted through educational institutions in this Province, so that, if you take the average number of people who may have the benefit of broadcasting or the knowledge of health talks, you will easily estimate it to be somewhere about 3 to 4 crores.

" Now, Sir, I have given you an idea of the total amount spent and the man-power employed and the amount of propaganda that is being carried on in respect of health matters. Having said all this, it may be said, in spite of all the enormous and vastly multiplied propaganda and the costly agency which we have provided for, we have not yet been able to achieve the necessary standard of sanitation in this land of ours. There is this peculiarity about it. People may say that health propaganda must be continued and continued for ever. I do not propose to say that this health propaganda that has been so vastly multiplied should be stopped on account of this Bill. On the contrary, the health propaganda will go on increasing in all its proportions till the time comes when a separate machinery takes up the work. Therefore, I would say that in any country, or any race of people, however much they might aspire to in the matter of health, there will still be people who lack knowledge of sanitation, not in villages alone, but also in towns; as a matter of fact, even now in towns we find the laws of health are being flagrantly violated. It is not as if e. By temperament,

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by heredity and by education, we have all realized that cleanliness 5 p.
is next to godliness. Cleanliness is a religious duty imposed on the people, and cleanliness is indeed the first duty of every
4-45 p.m. individual. But there is this difficulty: while we realize the need and the necessity for cleanliness in every way in our private life, we often ignore the need for the same in regard to public health. We also forget that an individual, however clean and neat he may be, is capable of disseminating disease by an act of his, of which he is ignorant and the implications of which he is unaware. Therefore, it may be said that cleanliness, as it is applicable to public health, is mostly absent from most of the people, in spite of the vast propaganda that is being carried on. Thus, it has become necessary to-day to take additional powers under the law to deal with such a situation, and the consequences of breaking the law will be brought home to the people more effectively than it had been the case in the past. When I say this, I do not mean to say that health laws are being introduced for the first time in this country, although this Bill is the first of its kind to appear in a codified and compact form as a Health Law. Health laws have been in operation since many years, and they figure in as many as fourteen or fifteen Acts including the Criminal Procedure Code and other Acts. Under the present Bill, all the various sections of these laws as may be found necessary to achieve the above object have been brought under one compact form; and such of those powers as are found to be necessary in the light of the experiences during the past fifteen or twenty years are taken. In addition to these, such of those laws which have been found useful and which other countries have benefited from by codifying them in their laws, have also been taken under this law, and to-day, we have been able to put before you a codified law of health which when it becomes the law of the land will be more comprehensive to deal adequately with the existing conditions.

"There is one thing I have got to say to those who presume that some of the powers that belong to local bodies and are exercised by them, are being removed from them by this Bill. That is the sort of criticism that has been advanced both in the press and in the communications that I have received. I can assure the House of this fact that no power hitherto enjoyed by the local bodies in the matter of public health is attempted to be taken away. But experience has shown that executive officers have been made inefficient in the proper discharge of their duties on account of the eager and unwarranted interference by local bodies. So, while the local bodies are empowered to maintain and control the Health Officer and do whatever is necessary in the organization of the Health department, power has been conserved for the Health Officer to discharge his duties independent of the interference from individual members of the local bodies. That is exactly what is sought to be done under this Bill. A local body

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having laid down a policy which is to be pursued in health matters, it is the executive officer who must be left free to discharge those orders in the best manner he thinks fit and in the light of his knowledge in the discharge of those duties. So, I maintain that the local bodies have control over the executive officers. But there is this provision in the Bill, namely, that when the executive officer finds that his advice has been thrown overboard and his plans frustrated by the local body, he is given the power to appeal to the Government for a decision in the matter. That has been made clear under this Bill; for, to-day I know there are local bodies which have thrown overboard the advice of their own Health Officers and consider them as nuisances and as a burden on their finances. I understand also that there are municipalities where their sanitary inspectors have been asked not to attend to sanitation work but to go and collect taxes from the tax-payers. An appeal has been made more than once to the Director of Public Health to save the inspectors from this work and make it impossible for the municipal council to misuse these men and thus defy the Department of Public Health in the discharge of their duties, checkmating them at almost every step from successfully carrying out their duties.

" I wish to bring another matter to the notice of this House. Having taken power to enforce the law in its fullest measure, and having found the necessity for such legislation, we must concede that unless there is a fear—a wholesome fear—of the consequences of breaking the law, the law will not be a success, that is to say, if such a provision is not incorporated in the law, the purpose for which it is intended will be set at nought. We have taken note of the mentality of our people as a whole and particularly of those who do not feel a sense of responsibility for the maintenance of public health. Many of us here know that the authorities both in the city and elsewhere have provided sanitary amenities for the people, and have provided dust bins in front of the houses, and the inmates of the houses are asked to throw their rubbish into those dust bins. But it is also noticed that most people neglect to do this. In such cases, at present there is nothing which the Health authorities can do to enforce the law. Further, there is nothing which the Health authorities can do to prevent the lady who insists on her child committing nuisance in the public street and who would not realize that what she is doing may cause grave danger to the public. Hence, adequate powers are necessary to prevent people from endangering public health by defiling public places, public streets, public paths and sources of water-supply.

" I may also place one other fact before the House. To-day our endeavour in the Public Health department is not to run after epidemics: that is the policy of the Government. We have

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decided that in future, the health staff must so arrange their health work as would render forestalling the outbreak of epidemics possible. We have on our staff the Director, the Assistant Directors of Public Health and others, each to work in a particular branch such as vital statistics, epidemics, fairs and festivals, etc., so that each one might become an expert in his own branch. The natural outcome of having such experts would be to know exactly where a particular epidemic is raging, where it started, and how it is spreading. By such knowledge, it would be possible to prevent the epidemic from spreading to other parts of the country. For instance large crowds of people assemble at places like Dhanushkodi, Kodikarai, Mahabalipuram, and other pilgrim centres during festival occasions. At a time when an epidemic is prevalent in those places, in spite of the warning from the Health department, people from many parts of the country go over to those places and the result is that the epidemic spreads to other places and ravages the life of the people for many months. I shall take an example. Recently we had an epidemic in Madras, which almost threatened to take a very heavy toll of life. In this connexion I must congratulate the Health staff of the City as well as other officers of the Health department of the Government on the discharge of their duties and the prompt measures taken in combating the disease. On account of the stringent measures that had been taken, we almost located it to the particular house in the particular street. Had it not been for the stringent measures taken, the epidemic would have spread throughout the city and many lives would have been lost. But I am glad to say, that thanks to the very strict measures adopted, much to the satisfaction and relief of the citizens of Madras, we have lost only 7 lives out of 52 that were affected. That has been possible in a city like Madras. But what about mufassal towns and mufassal villages? You will see that the same measures will have to be taken in all those places if necessary and the same powers will have to be given to the Health staff when this Bill becomes law.

" I may quote one more instance. Many of you may remember that during the recent Srirama Navami festival there was a large influx of people to Bhadrachalam which is situated on the borders of the Nizam's State. Many hundreds of people from the neighbouring territories went there. For want of adequate measures to cope with the situation, cholera broke out and it soon spread to the three unfortunate neighbouring districts of Kurnool, Anantapur and Cuddapah where the toll of life was very heavy. In the taluk of Bhadrachalam the epidemic continued to prevail for well over six months, and in all we lost about four thousand of our people. Therefore it will be found that this Bill seeks to protect the health of the people settled not only in the Madras Province, but in the whole country and the whole world. It is only on that principle that we have formulated this Health Bill

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which is to give us just that power to save human lives. We ask for ourselves the minimum power that is necessary to enforce the measures contemplated by this law. I ask the House to consider the facts I am placing before it.

"I must now tell the House one or two important points which have given room for some criticism. I have now asked the House to refer the Bill to a Select Committee. I have proposed for your consideration that there shall be as many as fifteen hon. Members representing the various sections of this House and ample time will be given to the Select Committee to go into the details of this Bill. I am already receiving representations saying that representation in the Health Board is not as much as one should desire."

MR. SPEAKER:—"It is a matter of detail. The Hon. Minister need not take so much time on matters of detail."

* THE HON. DR. T. S. S. RAJAN:—"I am simply formulating the underlying policy of the Bill."

MR. SPEAKER:—"The Hon. Minister was referring to representations."

* THE HON. DR. T. S. S. RAJAN:—"I am stating why the effect of those representations could not be incorporated in this Bill. I am simply touching one or two details of the measure, not all, but one or two which stand out differently, because the Public Health Board is a new thing. This has not been in any of the Acts till now. I therefore thought that it deserved some mention.

"I want to say a word or two about this advisory body. The Government will have the benefit of this advisory body on big Public Health schemes, such as water-supply schemes and the like. They do not want the Board to get into a position where they will not be able to give their advice. If the Board should work in an advisory capacity, it should be of a representative character and should represent all those who in fact are able to give expert advice. Therefore we have included in this Board people who are able to serve in a representative or expert character. We have allotted two members for this House and one for the other House, constituting three Members of the Legislature of Madras in a committee of nine members. The suggestion has been made that some more experts should be added to the Board. That matter shall certainly be considered in the Select Committee.

"But, when you come to the question of the prevention of disease and the various systems of medical treatment in the country, I just want to mention some of those factors which I have noticed. Treatment, as I told you at the outset, a very important consideration, but it is not an important consideration

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from a Public Health point of view. Systems of medical treatment differ, but the question of sanitation, etc., are not matters discussed by them. Prevention of disease or protection against disease is a common point to all systems. The epidemic nature of the diseases demands the protection that is necessary to be given to the people, more particularly to the poor man, the man in the street who may not realize the importance of these provisions of the Bill. It may not be necessary in the case of rich men living in plenty, having plenty of food to eat, in houses isolated from the rest of the people, with good light and neat surroundings, who can command and even defy infection. But this is not the fact in the case of the poor man who lives in groups in miserable huts, famished people, who have no home, no sunlight, no good air and all that. If an epidemic breaks out amidst them and if they get an infectious disease, there is no use telling them, ' we have passed good measures and you ought to have taken precautions.' What is really required is a cheap and universal remedy which should be given to the poor men as protection against an attack of the diseases. That is not the time to discuss as to which method of treatment should be chosen, whether it is going to be Naturopathic or Homœopathic or Ayurvedic or Allopathic. It is a question of giving the best protection to a large number of people who are not acquainted with any particular system of treatment. One form of prevention of disease is to give State help to the extent of the knowledge that is at our disposal; the Government is bound to provide such help which the poor man requires. Therefore, it is not a question of discussing the method of treatment, it is not a question of inoculation for or against, it is not a question of the germ theory, it is not a question of protection against a particular form of vaccination; it is a question whether the large mass of the people can be helped at one stroke by the public health work. The important duty of the Public Health department is to ward off epidemics, and if once an epidemic has developed, to ward it off as often as it is necessary. You cannot ask them to stand out and allow the disease to spread and let them die. It is not the way in which a politician, a statesman, or a Government should tackle such a problem. We have to take a position which will be in conformity with that obtaining in the rest of the civilized part of the world whether east or west. You will find that the work of the League of Nations is so universal in their application that almost every country to-day has not only to contribute towards it but also to see the laws they promulgate are properly adhered to. Therefore, health is an international affair. The position which we in India should take up is this. We must first of all protect our own people, and in protecting our people we also protect the rest of the world against epidemics, to which we are responsible. Therefore, we have taken power which is not only in our own interests, but in the interests of the whole civilized world. In so doing, I would remind hon. Members that these inoculations and other protective measures are not

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methods that are strange to this country. Some people have said that these inoculations are new and that the protection afforded is not good. No. It is not new. Our people were already aware of inoculation and they have protected themselves from infection. Thousands and thousands of years ago, we in India have practised inoculation against diseases. We have protected millions of our countrymen by inoculation. Not only that, we have carried the practice of inoculation and spread it in countries like China and the other countries in the Far East. All these preventive methods were being adopted in India thousands of years ago. In these matters, India has led the way. But through the passing of centuries we have lost all that knowledge of sanitation and cleanliness. Our *sastras* have laid down punishment of Hell for persons who spread diseases. To-day we find our people carelessly and ignorantly fighting shy of being inoculated. It is only here we have taken power to see that the rules of sanitation are enforced and I would now give only one example.

" We have to-day, as a result of the continued propaganda and as a result of re-vaccination for the past five years, this record; in the course of the last 75 years we have recorded this year the lowest death-rates from smallpox, that is, about 2,400 all told for the whole Province. This is the lowest record. I claim that this low record is due to the persistent efforts that have been made through the enforcement of the laws of vaccination. Wherever possible we have protected people by vaccination. Those who have some knowledge of the havoc of epidemics in the past, will know how to-day the modern army is being fully protected from epidemics; every soldier is fully protected against all epidemics. Epidemics took away a greater number of soldiers in the battle-field than actual bullets from machine-guns. Men should be protected against epidemic diseases with a certain amount of care and with a certain amount of knowledge. Now we have taken up a large number of schemes of protected water-supply. We are, perhaps, to the extent to which pure water is responsible for the maintenance of public health, bound to see that the funds necessary for the protected water-supplies are well-utilized. We must realize that under these provisions for the regulation of protected water-supply to which we are giving lakhs and lakhs of the tax-payers' money, we are doing nothing more than what is being done in the rest of the world with a view to prevent or eradicate disease. I thought it was my duty to place before you these various matters that are in vogue to-day in other parts of the world. I have done so within the short time at my disposal with a view to tell you, how far there is compelling necessity which forces this Government to justify this Bill and to place it before you for your acceptance.

" I would certainly listen to whatever criticisms that may be advanced from all parts of the House, provided such criticisms do not affect the vital provisions of the Bill. We shall try to adopt as much as possible such opinions. But I request that the Bill

is not killed by amendments that are proposed by hon. Members. I also request hon. Members to join me in passing this measure and to co-operate with me in this particular endeavour which I have taken up and for which we are spending so much money of the tax-payer. I hope the House will not grudge to give it. Sir, I introduce the Bill."

MR. SPEAKER:—" Does the Hon. Mover of the Bill want to refer the Bill to a Select Committee? "

* THE HON. DR. T. S. S. RAJAN:—" In introducing the Bill I have moved that the Bill be referred to a Select Committee."

MR. SPEAKER:—" Will the Hon. Minister name the personnel of the Select Committee? "

* THE HON. DR. T. S. S. RAJAN:—" Yes, Sir. I will give the names for consideration—

(1) The Minister for Public Health to be the President of the Select Committee."

MR. SPEAKER:—" The Chairman of the Select Committee will have to be nominated by the Chair."

* THE HON. DR. T. S. S. RAJAN:—" I am sorry, Sir. I am subject to correction. The names of the Members are—

(1) The Hon. Sri C. Rajagopalachariar.
(2) ,, Sri B. Gopala Reddi.
(3) Dr. P. S. Srinivasa Ayyar.
(4) Sri R. B. Ramakrishna Raju.
(5) ,, A. B. Shetty.
(6) M. Ahmed Badsha Sahib Bahadur.
(7) Sri T. T. Krishnamachariar.
(8) Mr. G. B. Reade.
(9) Sri N. S. Varadachari.
(10) ,, V. S. Rm. Valliappa Chettiyar.
(11) ,, N. M. R. Subbaraman.
(12) ,, A. Pl. N. V. Nadimuthu Pillai.
(13) ,, K. R. Karant.
(14) ,, Konda Venkatappayya.
(15) The Minister for Public Health (myself)."

MR. SPEAKER:—" And then, does the Hon. Minister want also the instruction to the Select Committee regarding the time-limit to be given? "

* THE HON. DR. T. S. S. RAJAN:—" I want the report as early as possible."

15 MR. SPEAKER:—" So the motion reads thus: 'The Bill be
n. referred to a Select Committee and that the Select Committee be instructed to submit its report as early as possible.' There is no instruction at all. That means there is no date fixed before which or by which it should submit its report."

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* THE HON. DR. T. S. S. RAJAN :—" The Select Committee is expected to report as early as possible."

MR. SPEAKER :—" That means there is no instruction; it means it will report as early as possible, like any other Bill."

* THE HON. DR. T. S. S. RAJAN :—" Yes."

MR. SPEAKER :—" Mr. T. T. Krishnamachari has given notice of an amendment, and he will move it."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR :—" I might just say, Sir, that there is nobody here on these benches to say . . ."

MR. SPEAKER :—" That is a matter between the hon. Member and the Party Leader.

" Mr. Krishnamachariar will move his amendment."

* SRI T. T. KRISHNAMACHARIAR :—" Mr. Speaker, I move—

> *'that the Madras Public Health Bill, 1938, be circulated for eliciting public opinion.'*

" In doing so, I want to make my position clear, so that I may not be misunderstood with regard to my attitude towards the motion before the House. I have no idea of retarding the progress of this Bill. My desire is that the Bill should be considered carefully by persons who are likely to be affected by it. My position in the affairs of this Assembly, as I said on a former occasion, is that of a free-lance: it is peculiar position. On a previous occasion, it was said by the Hon. the Premier that people who have not got any interest in the continuance or otherwise of this Government can have no right to offer advice to it. I do not happen to be one of those persons who can have any interest in the non-continuance of this Government. I may repeat what was said by the Leader of the European Group on a former occasion in this House that they had no desire to help to throw this Government out of office as they were not in a position to form an alternative Government. Placed as I am in an almost similar position, I have no interest in seeing the present Government out of office. Besides, Sir, the community which I represent requires a stable Government to enable them to go about their work unhampered and hence my support must be for any Government which is stable and the present Government appears to fulfil this condition.

" Secondly, Sir, criticism of Government measures is a very, really very delicate business. People like myself attempting to criticize measures like this, are liable to the charge, that all this criticism is made to embarrass the Government. To a certain degree, all criticism is embarrassing. Except in that sense I do not intend my criticism to be embarrassing and I have no desire to embarrass Government by moving this motion for circulation of this Bill to elicit public opinion.

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" Sir, agreeably to the convention usually followed in Parliamentary Houses, I wish to congratulate the Hon. Minister on bringing forward this measure. In his keenness to place on the statute book a Public Health Act and the manner in which he has been working to achieve this end the Hon. the Mover of the Bill has been exhibiting an enthusiasm usually characteristic of younger men. As a man much younger than him I envy his capacity for sustained enthusiasm in this cause. The motive underlying this measure is good; the principle is good; and nobody can differ from the Hon. Minister on this score. It is only with regard to the methods to be adopted; it is only with regard to the machinery provided, the extent of the finances available and the temper of the people on whom the Bill is to be enforced that one can differ from the Hon. the Mover of the Bill. It is only these points that I wish to bring forward to the attention of the House in moving this motion for the circulation of the Bill to elicit public opinion.

" Sir, the Hon. the Mover of the Bill made a very eloquent speech. He traced the history of the Public Health department; and he told us that the Public Health department are now doing a great deal to combat epidemics by being able to forecast them and by taking preventive measures; and that if that department is put on the basis contemplated in the Bill, the general tone of public health in the Presidency will be improved. I have no desire to controvert that statement. He painted a rosy picture of public health in the Province and the possibility of its being improved. If the facts are as stated by the Hon. the Mover, now, in the Presidency, it probably supports my case for the circulation of the Bill to elicit public opinion. For, my point is why should the Bill be pushed through now with any degree of haste, why not wait for some time more until public opinion is elicited on it; why do you want to carry the Bill through at one and the same sitting, when the existing staff are so efficient even to the extent of making timely forecasts and thereby preventing epidemics by taking timely preventive measures? Why not take some more time about it and do it quietly and leisurely? I think the Hon. the Mover of the Bill has really supported my case when he referred to the excellent work being done by the Public Health department now. With the present work his staff has been doing, I have no quarrel. As I said before, the Hon. Minister has shown great enthusiasm for this Bill. But it is often said that enthusiasm is a not-unmixed blessing. The Hon. the Mover of the Bill is probably suffering from the defects of enthusiasm, and a consideration of the provisions of this Bill will reveal that in some matters he has allowed his enthusiasm to outrun his discretion.

" Anyhow it is a matter for congratulation that in these complex matters of activities of Government, this Government did feel the necessity to investigate and adopt what is being done

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in the matter of health service in other countries, and also what is the experience of other countries. We have references to measures carried out in foreign countries in the notes attached to the Bill. The Hon. Minister himself was candid enough to say that he has copied from the example and from the experience of the Public Health measure in England. And a close scrutiny of the Bill reveals the incorporation of several provisions from the Public Health Act of England. I think my European friends in this House will be flattered to see that a Member of a Congress Ministry has thought it fit to draw largely from English experience in this matter. It has been on a previous occasion in this House that the Ministers have no need to learn their political principles from the writings of Western academicians and that they have these and other principles burnt into their soul by suffering and experience. It is refreshing. But that apart, Sir, the first test of any social legislation is to see how it is related to and is in conformity with the standards of the community. My contention is that this Bill is not in conformity with community standards, and therefore it falls short of this test. It is very good, I will say it is extraordinarily good, to copy from countries like England. But, here, Sir, I may be permitted to quote from what the Hon. the Leader of the House said when addressing a gathering of educationists. He said 'How can we have A class education with C class taxation?' What I say is, according to this Bill, we seem to want A class Public Health with C class resources and an Nth class mass education. Our people are illiterate; our resources are poor, and it is not proper that we should saddle the people with additional financial commitments. The Hon. the Mover gave us figures to show what the amount of money available for expenditure on health service is. But the chief consideration that stands in the way of this Bill in relation to our Province is finance, and it is from this point of view that we have to see how far it will be practicable to import the law obtaining in foreign countries. I might, Sir, in this connexion quote from Lord Bryce, if the House will permit me to do so. This is what he says:—

'The rules which govern the relations of the ordinary citizens must be such as suit and express the wishes of the ordinary citizen being in harmony with his feelings and fitted to the daily needs of his life.'

"Surely, Sir, it would be presumptuous on my part to say that I know better than the Hon. the Mover himself; because in his professional capacity he must have gathered plenty of experience if the provisions of a Bill of this sort fit in with the standards of our people. Anyhow I feel he is so enthusiastic about this measure, that it perhaps blinds him to the real difficulties.

"The trouble about this Bill is, in my opinion, that it is not easily enforceable. It is all good to have a Bill; you can have a beautiful Act with provisions providing for a perfectly well-organized health staff and penalties provided for breach of rules

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and all that sort of thing. But the measure should be enforceable. The difficulties of enforcement lead to disrespect for law and order. I think, surely, this Government stands for law and order. And, therefore it is essential that the provisions of this Bill should not be misunderstood, and they should not be understood as implying a sense of degradation. For we are an extremely touchy people; any slight interference with our daily private life would wound our feelings, and therefore we do not want any measure which will interfere too much with the details of our every-day life. I am not moving any drastic amendment to the Bill; but I am only moving for circulation of the Bill to elicit public opinion, so that we may know from people who have the experience and knowledge their views on how the Bill will work, and how far it will affect the people advantageously or otherwise.

"Well, we have at present the Public Health Code; and it has been functioning for the last so many years. I ask, Why should we not go a little slowly? Why not appoint a committee? You are copying the English Public Health measure. The English Public Health measure is made up of a series of piecemeal legislations. Prior to practically every legislation on a Public health matter there has been a committee to investigate and report on the question. Take 'venereal diseases.' They had a committee for that. Take 'backward areas.' There has been a committee for it. Therefore, I ask the Hon. the Mover, if you want to copy the English Public Health measure, why not follow it in all respects and appoint a committee to examine how far that Bill can be adopted here. My chief contention is that this Bill is not suited to our country in its present form, as there are several provisions which cannot be enforced. And so I want greater consideration should be given to this Bill.

"I have already spoken about the financial aspect of this Bill. As has been said, we are already spending a lot of money on this service. And the complaint against this Bill is that it has in view an expenditure of a lot of more money. It is said that about one-third of the income of the municipalities should be set apart for health service. It is this aspect that requires greater attention. Sir, in tracing the history of the Public Health measure in this country, the Hon. the Mover of the Bill started with the Public Health Board. Of course, it is not a new thing. It has been in existence in one form or other ever since 1884 till 1922 and he has told us what the department has been doing all along. I ask, is it necessary to have a change in such a manner as to give the Director of Public Health a statutory status? I do not think the Hon. Minister has made out a case for this. He has not told us whether the Public Health Code has been given a fair trial; he has not told us in what respect it has failed. He has not told us why the Director of Public Health should be given a statutory status. Is there a real necessity for it; or is it simply to satisfy his

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sense of prestige? This is the cardinal principle of the Bill; and I do not think the Hon. Minister has made out a case for this. A recent report of the Director of Public Health, 1936, accuses the public of ignorance and lays the blame for the poor public health progress at the people's doors. What has the propaganda staff been doing? What have the Ministers for Education and Publicity done? What will happen if the Chief Medical Officer of the English Health Ministry writes a report like this? It is an insult to the people and to a popular Government. What will statutory status to the Director mean under these circumstances?

"Sir, I wish I go into the details. The Hon. Minister has 5-30 p.m. referred to the constitution of the board. But what is the good of this amateurish board? It is absolutely a hotch-potch board with two Ministers and three people from the legislatures. What will they do? Where is the engineering element there? You have got to deal with water works and kindred subjects. All these have to be dealt with by the advisory health staff. I think the proposed constitution of the board is wrong. We do not want a board like that. In a local newspaper there was an admirable criticism of the Public Health Bill recently and it proposes an advisory committee of the legislature besides a statutory board of experts. That is a proper way of approach and I think it deserves greater consideration than it has received. But with this board outlined in the Bill nothing can be done. The Bill does not tell us how they are going to link the central board with the districts. We do not know what their intentions are. We do not know if they have any idea of forming District health councils. We are absolutely in the dark. Then, Sir, the central provisions of the Bill all go to strengthening the position of the health staff. The Hon. the Mover has said it is so and he appears to see nothing wrong in it. But my feeling is that it is being strengthened to the detriment of other interests. The charge was brought forward which the Hon. the Mover admitted that the local body was being deprived of most of its powers. He says it is right and that is his opinion. The Hon. Minister's opinion in this matter is rather prejudiced. In a speech at Tanjore I think the Hon. Minister for Public Health stated that he was in charge of drains and that the Minister in charge of Local Administration was in charge of factions. Possibly we may feel that the Local Administration Department need not exist. Even the Hon. Minister for Local Administration has said that these local bodies are not necessary since a popular Government is functioning now. That seems to be the opinion of the Government generally. If it is so, why do you adopt a devious legislative expediency? Why try to destroy the position of the local authority which is a representative elective body in this manner. In the Bill we have before us from beginning to end is the creation of a Health Officer and health staff and endowed with absolutely dictatorial powers. It is under the control of the Health Officer

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and the Director of Public Health and not the local administration. They can spend any money they like of the local authority and on the top of it Government take the power to invest the Health Officer with the powers of the local executive authority. What are his duties? They are not found in this Act. He is the best judge of what is public health activity. He can do what he likes. I am simply putting before you a possible instance. Supposing the Minister does not like the administration of the Trichinopoly Municipality, he can appoint an additional Health Officer. If he feels like it he can vest him with powers of an executive officer. The Health Officer can undertake new works like drains and other things and make the municipality pay. If it cannot, naturally it will be superseded. The whole idea is the creation of an *imperium in imperio* in the person of the Health Officer. The Health Officer will be the most powerful factor in the whole administration. He can do what he likes. If he becomes corrupt the Government will defend him. They reduce the salaries of their officers and it is only fair that they should defend them when they are accused of corruption. Then, Sir, it is a new paragon which is being created. What are his duties? He is an engineer according to certain sections of the Act. He is a veterinary officer. He examines food and certifies that meat and other foods are bad. He constructs drains and cesspools, designs water-works and says when water is contaminated. But he takes no responsibility for anything that he does. He even tells the people how they should construct latrines. He does not take the responsibility. All that he has got to do is to make suggestions and if his suggestions are not carried out by a local authority he reports to the Director of Public Health and the Director of Public Health to the Government and the Government say that the local authority is unfit. Well, he can do what he likes because there is no responsibility cast on him. Then what is the responsibility left to the local authority and to the local administration. They have roads and lighting. It is proposed to take away lighting from them if they have electrical lighting and then they will have only roads. Then they have the unpleasant task of collecting taxes. The Hon. the Mover complained that the sanitary inspectors in municipalities are asked to collect taxes. The sanitary inspectors can say to the tax-payer that his drain is not in proper condition and prosecute him. The sanitary inspectors are a power in municipalities. They have got powers of annoying the people and that is why the executive authority wants the sanitary inspector to go round and collect taxes. But he will become a subordinate of the Director of Public Health and the Minister and so this local body will have him no longer to collect the tax. This is not the thin end of the wedge rather it is the whole of it. We just see the crown of the wedge. The whole thing is being driven in with this Bill. Let us see what is the particular training of this valuable Health Officer. Has he any engineering

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training? Is he a surveyor to take levels? Has he had any accountancy training? Because section 97 contemplates accounts being done. No. Qualifications are not prescribed as such. Sir, I shall ask the Minister one thing about these Health Officers who are going to wield so much power. They have been doing conscientiously their work all along. It is said that under the Factories Act they are factory inspectors in their own areas. How many of these Health Officers have submitted notes of inspection of these factories? Have they really been doing it? And now you expect them to do more and more work. It is very easy so long as you do not ask them to take any responsibility in regard to the carrying out of the provisions in the Bill. I do not want to deal with the Bill section by section. But there are certain facts which have got to be mentioned. I will now deal with regard to water-works. I wish the Hon. the Mover has spoken more about it. We have had few instances of inefficient water-works in Vizagapatam, Salem and Coimbatore. They have formed subjects of adjournment motions and subjects of interpellations. Has the Government allocated blames on the officers concerned and dealt with them? Similar instances will happen again. The Health Officer has no responsibility. Only under the Act he lays down the law regarding water-works. Sir, there is another thing which is very amusing. I have heard of the omniscience of a Collector of a district, but I see the Collector of the district is now supposed to decide when water is contaminated under this Bill. We come to the crucial point regarding water-works taxation. The additional taxation takes the form of 25 per cent of the present tax. The odium of collecting it has to be taken by the local authority. They lose the powers they have now got but they have got to collect more tax. I would like that particular clause is taken out and made the subject of a special Bill. Let that be done and you will know what the people think of you when you go to them for their vote. One other point is the question of latrines. The Bill says such and such type of latrines is necessary. The Health department in tropical countries has made researches and nobody has yet succeeded in bringing out a suitable design for conservancy latrines. And yet you are asking the house-owner to have a model latrine. If he does not do so you will prosecute him. Then coming to definitions, premises, prostitutes and all these do not find a place in the definitions. Sir, then I come to one of the most important portions of this Bill with regard to infectious diseases. The provisions are most impracticable. Take the case of the notifications of diseases. There has not been notification of all types of infectious diseases even in some of the European countries. What are those that have to be notified? Malaria is not an uncommon illness. It has got to be notified. I was myself subjected to malaria. Quite a number of people here might be subjected to malaria and all of them have got to be notified. What facilities are provided for people notified to be treated? Have the local authorities got enough finance for opening

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more and more hospitals? I think there is no point in notifying without adequate provisions for relief and treatment being made. Have you got any statistics to show what notification will cost the State and local authorities? There was the mosquito curtain theory that was trotted out some time back. Does it apply to this case also?

"Then, Sir, there is one other controversial point, that is, 5-45 p.m. with regard to venereal diseases. People never want to take even a doctor into their confidence in regard to these ailments. One never wants to talk about them. But, still, according to this Bill every physician who treats a case known to be one of venereal disease should report such case to the Health Officer of the area in which the patient resides. The Hon. Minister proposes that in this manner every man's life should be laid bare. Under the provisions of Part II of Chapter VII of this Bill it is no exaggeration to say that every person suffering from a venereal disease will have to go about with a sort of card round his neck announcing the fact that he is suffering from a venereal disease. His life is thus proposed to be rendered as miserable as that of a person who comes under the purview of the Criminal Tribes Act. The doctor who treats such a patient will have to notify to the Health Officer by symbols the existence of this unfortunate person, giving details of his occupation, address and so on. If supposing a deputy collector in a town suffers from this disease, the Health Officer need not worry. He can find it out easily from the report of the doctor. (Laughter.) If the man is transferred from one place to another, say from Saidapet to Vizagapatam, the Vizagapatam Health Officer will know that the deputy collector who comes to the place suffers from venereal diseases and if he does not go and get himself cured, he will have to be punished. If a man goes to a doctor and says, 'I have venereal disease,' the doctor must notify the Health Officer and if he fails to do so, both the persons will be punished. In this connexion if the Hon. the Mover will only recall his experience—he must have had a few dozen cases of this kind—he will realize how chary people are to own they are victims of this disease. Further, most people do not know how and when they got this disease. They probably get it through some casual mischief. (Laughter.) In these circumstances, Sir, I ask the Hon. the Mover, through you, Sir, whether he has read the report of the English Commission's Report of 1917 on Venereal Diseases. The Commission reported against notification and suggested the opening of few venereal clinics and prevention of quacks from treating venereal patients. Doctor Newsholme who is a well-known authority on public health matters, to-day, in his latest book, has dealt with this question. I do not want to quote extensively from it. He says that the man who contracts the disease will escape and that it is only the woman that will be caught. The prostitutes will not be caught. It is only the casual offenders that will be caught. If prostitutes cannot

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be caught, Sir, I do not know of what earthly use these provisions are. I would ask the Hon. the Mover to read some more literature on venereal diseases.

"It is best to eliminate this chapter from the Bill. Unless you are prepared to open centres in which people can get free treatment and instruction in regard to these diseases, it is no use making these provisions on paper. If the local bodies have got money, let them open centres where people can go unnoticed and get advice and help; it will be good. But if anybody says that a certain doctor is a venereal specialist, nobody will go to him. That is the common experience of all. Our doctors know these things. I cannot understand why the Hon. the Mover should bring in impracticable propositions of this kind. I ask, Sir, do the Government contemplate licensing the prostitutes? Do you contemplate regulating the immoral traffic? Why then provide for compulsory medical examination of prostitutes? You go on at a tangent and legislate without consulting your Colleague who is in charge of the Brothels Act. Have you consulted him? Has he given his opinion about this measure? I say, Sir, this Bill has been framed by the Hon. the Mover unilaterally, off his own bat. I say that none of his Colleagues has given any attention to it. They might have agreed to it and signified their consent but they have never thought about it. I would advise the Hon. the Mover first to start clinics and encourage people to go to the doctors there. They should be sympathetic to the patients. I may mention in this connexion, Sir, that even in America and other countries where they have compulsory notification, the incidence of gonorrhoea has not gone down. They have done something to lower the ravages of syphilis. These provisions in this country will drive the scourge underground, and no more. We must remember also that the Allopathic is not the only system which gives a cure for these diseases. We have got the Unani system and we have got the Ayurvedic system. Every Tom, Dick and Harry practices these systems of medicine.

"Then, Sir, you start by interfering with the chemist. I am personally not in favour of it. But it is not easy for you to carry out your intention that all chemists should keep records of the sale of drugs intended to cure venereal diseases. There are various medicines in the hands of quacks which they will go on selling without control. When that is the case, what is the use of your having a provision which you cannot effectively carry out? The provision is therefore bound to be a dead letter. Why put it in at all?

"Another important question is the mosquito control. This Bill leaves the local authorities free to allow people to go on digging pits as they like for quarrying. These quarry pits are the breeding grounds for mosquitoes. If you are not going to control quarrying, you cannot effectively carry out mosquito control. There is no provision in the Bill for this purpose.

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"Then about residential areas. The sections relating to these are really redundant being merely repetitions of the provisions in the Town-Planning Act. I think the Hon. the Mover is responsible for the administration of that Act also. That is a dead letter. We have got a Director of Town-Planning and he does nothing. The sections of that Act have been simply repeated here. There is a peculiar provision to the effect that back-to-back houses should not be built; but such back-to-back residential quarters are permitted in respect of tenements. Why object to back-to-back houses in middle-class localities?

"There are then numerous provisions for the inspection of private houses. These provisions are bound to be very troublesome. Section 91 gives power to the Health Officer or any of his subordinates not below the rank of a sanitary inspector to enter and inspect any building."

MR. SPEAKER:—"I think the hon. Member is going too much into details."

* SRI T. T. KRISHNAMACHARIAR:—"I am finishing, Sir, very soon. This inspection business is a very important feature of the Bill, Sir."

MR. SPEAKER:—"The hon. Member can be brief in his reference to it."

* SRI T. T. KRISHNAMACHARIAR:—"All these points are important, Sir, for my motion for the circulation of this Bill.

"As I said, under section 48, the right of inspection is given. But the latter sections go further progressively and allow inspection by the Health Officer or his minions at any hour either by day or by night. That is why I said this inspection business is going to be very troublesome.

"There is then section 143 which is an all comprehensive one. It is very important. It says—

'If any provision contained in any other enactment in force in the Province of Madras is repugnant to any provision contained in this Act, the latter provision shall prevail.'

"The provisions contained in this Act will therefore be the deciding factor. This kind of legislative drafting is yet unknown in our land. You do not amend or repeal particular Acts or provisions. You merely say that notwithstanding anything contained in any other Act, the provisions of this Bill shall be the deciding factor. This, Sir, is really going against the first principle of drafting. You cannot have two provisions covering the same ground: both in force and one overriding the other. The Hon. Minister being new to legislation, like myself, might have erred; but the point is, what is the drafting department of which the Hon. the Minister for Education is in charge doing? If they had no time why should they not say: 'This cannot be done. Let us wait.'"

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MR. SPEAKER :—" It would be convenient if the hon. Member leaves the details to the Select Committee."

* SRI T. T. KRISHNAMACHARIAR :—" I am finishing, Sir. But these are vital points. Several clauses of the Bill show bad drafting and bungling. That is why I say, we should wait and get public opinion on the Bill which will give the necessary time to remedy the drafting defects in the Bill. The Select Committee cannot get this done, nor can it say that clause (*a*) is bad or (*b*) is not well drafted and so on. I have read the Bill a number of times during these two weeks, and I cannot say I have fully mastered its provisions. In the circumstances what can the Select Committee do within a short time? If we make many changes, we will be throwing an enormous burden on the Secretariat of the Assembly. I say, therefore, let us recommit the Bill to the public. Let them comment on it.

" I would once more state, Sir, that this kind of drafting cannot be allowed. Section 143 cannot remain. Notwithstanding the fact that I am a layman, I can say that this is a badly drafted Bill and that there is no need for hurrying on with it. I am not against the principle of the Bill. I do not say it is not a good thing to have a public health law. But I say that it should be a law which is suitable to this country. Its provisions should be suitable to our conditions. There is no use having a new dictator in the shape of the Health Officer. Why add to the number of the oppressors of the public? The police are there. That is my case. I would request the House through you, Sir, to accept my motion to have the Bill circulated for public opinion."

* SRI G. KRISHNA RAO :—" I second the motion, Sir, and, in doing so, wish to make a few remarks. I shall be brief. After the exhaustive speech made by my hon. Friend, Mr. Krishnamachariar, there is no need to make any long speech. I shall therefore simply say that there is a feeling that this Bill is being rushed through. It is a large Bill containing 144 clauses. It was first published on 10th November and placed in our hands on the 12th November and on the 28th it has been put before us for discussion. Hardly a fortnight has elapsed since the publication of the Bill. The time before us has been very short for the consideration of an important Bill of this kind with its 144 clauses breaking new ground in almost all the clauses based upon various Public Health Acts such as the English Public Health Act, American Act, the Public Health Act of other provinces in our country, not to speak of the District Municipalities Act, the Local Boards Act, etc. Members have not had the necessary time to study this Bill carefully.

" Such an opportunity has not been given to the Members 6 p.m.
of this House, and I think it is not right for this Government to

take advantage of the majority they have here to rush through such an important legislation. That is what I want to place before this House. No doubt the question of public health of the Presidency is a very important matter and there are no two opinions on that point. But unfortunately the method adopted for that purpose is not quite consistent with parliamentary practice. The Bill is a very important measure and it covers the whole field of public health of the Province, and as such, I think a good deal of time must be given to the public to go into the whole question, because it affects them vitally. There are new and important changes brought about and most of the clauses I should say—so far as we are able to say at present—are revolutionary in their nature. So, Sir, if this Bill is hurried through at the present moment, I think it will be another example of the Congress Government hustling through their Bill. We have been complaining about the hasty attitude of the Government with regard to legislation in this House, and we have been answered by the Government saying that the Opposition Members are not able to make out the difference between 'hustle' and 'speed.' Whatever the explanation that the Government may offer for their action in rushing through such legislation, I feel no doubt that they have no right to rush through an important legislation like this. Whatever explanation may be given by the Government, I am firmly of opinion that if the Government want to get through such a legislation as this, then the Bill ought to be circulated for public opinion and the fullest possible expression of public opinion should be brought up on it by its being circulated to the local bodies, responsible institutions and persons who can speak with authority on the subject. And, especially, when Government themselves speak of 'magnitude and complexity' of the measure, I submit that that is the very reason why the Bill ought to go before the public. Of course it may be very easy for the Government to say that we can go through the various sections of the Bill in a short time. The Hon. Minister has said that one could study the Bill in three hours! But any responsible person or any responsible Member of this Legislature, if he has gone through the Bill, must have felt it absolutely impossible to get a full grasp of the implications of the various clauses of the Bill within such a short time, considering that there are 144 clauses in the whole Bill. It is not a newspaper or any other light matter to be read so very lightly. It is a serious and important matter which affects the whole Province, and it has got to be studied seriously.

"With regard to the various changes made in the Bill, we see that autocratic power has been given to the Director of Public Health. He is actually made a Hitler of the Public Health Department and the local bodies are relegated to the back-ground with the scantiest consideration.

"The Bill is silent with regard to certain important matters such as maternity and childwelfare and the problem of nutrition.

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The Hon. Minister might have known that in our country for a population of 340 millions there are only 8,000 beds for maternity cases! I greatly deplore this defect in the Bill. I do not want to go into details. The Hon. the Mover of the Bill has not spoken a word about it. It is a very important matter vitally affecting the people of this Province. More than a lakh and a half of the expectant mothers die for want of adequate treatment every year.

" Then there is the question of ear-marking of revenue for public health purposes. There is the question of police powers being given to the public health officers. All these things must be carefully gone through such as the granting of police powers to the lower rank of the Health Officers as they might cause harassment to the people and the powers conferred on those persons might be abused. I do not want to go into details. I will content myself by saying that this is a very important measure, and Government would he failing in their duty if they are not going to refer this matter for public opinion. I support the motion."

(Mrs. Yakub Hasan then took the Chair.)

* Mr. W. K. M. LANGLEY :—" Mr. Speaker, Sir, it is my privilege to be the first person to address you on your assumption to the chair. I am not sure as to what is the proper manner of address in the circumstances, but if I address you as 'Mr. Speaker,' you will, I am sure, understand that I do so with the greatest possible respect for the chair. The circumstances are rather unusual and I am not sure what is the accepted mode of address.

" Mr. Speaker, during the past six months I had been privileged to travel abroad on my country's business not unconnected with Trent Bridge, Lords and the Oval. When I left this hon. House, it was, I thought, in the position of a python which was trying to digest the enormous legislative meal which it had had to swallow during the preceding twelve months. When I returned after the six months' absence and even before the python has fully digested its previous meal, I find that more and more and quicker and quicker—I can only hope that better—legislation is placed before it for consumption. Practically all this legislation means an additional impost ushered on the rate-payer or the employer or the land-owner, who seem to be the unfortunate persons who are called upon to pay for it all. It would be becoming on the part of the Hon. the Premier if he could once and for all address a mass meeting or adopt some other method which might be equally suitable and let us know what legislation we have to face during the next three or four years while he and his Government may be expected to remain in office. No sooner have we faced one enormous piece of legislation—I hope the Hon. the Premier will admit this as cheerfully as possible—than we have again to face a fresh legislation which, although very excellent in itself, is going to

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place a further financial burden on the agriculture, commerce and industry by which this Presidency lives. This particular Bill which is now before us is a case in point.

"But before I come to consider this particular Bill I wanted to mention my fear that practically every Member of the Treasury Bench has got some other Bill of his own in his pocket which he is only awaiting his chance to put before us and which will again throw a still further impost on the unfortunate tax-payer and others who are actually called upon to bear the burden of paying the Bill. When the Hon. Minister for Public Health was justifying his action in introducing this Bill he was chastizing us with whips; but his hon. Colleague the Minister for Industries and Labour will no doubt soon come forward with *his* Bill possibly with equally as much, if not more, justification and will be chastizing us with scorpions and so it goes from one Member to another of the Treasury Bench. The only reason which may prevent the Hon. Minister for Local Administration from bringing forward any measure seems to be that he will be the unfortunate person who has to persuade all the local boards to find money to finance all these admirable projects. However, as he is the best-looking member of the Cabinet (laughter), his task will probably be lighter and even he will have something to produce before us in the future.

"While we do, as I have already indicated, accept this Bill in principle, we do suggest that as in the case of almost every other previous Bill, it is being rather rushed through and it is for this reason in the first place that I support the amendment which has been put forward by my hon. Friend, the Member for the South Indian Chamber of Commerce. And in fact, so long as this method of throwing these Bills on us with such tremendous haste and rushing them through the House continues, my group will on principle invariably support any motion for the circulation of such Bill for public opinion. I think the Hon. the Minister for Public Health—so I have always been given to understand—had a high reputation in his own profession. When he was practising, he must have treated a number of patients who were suffering from serious illness, and I think he would he the last person to advocate anything in the nature of a lightning cure for his patients. If that is the case with regard to a private patient, surely when the whole mass of this Presidency whom this Bill affects, as the Statement of Objects and Reasons shows, is suffering very seriously from the effects of generally bad health, it is more appropriate that a Bill of this nature should be treated as cautiously as possible and not rushed through this House. It seems to me that a Bill affecting the whole life and social structure of the people of this Presidency requires the most careful consideration, so that it might be started on the soundest possible lines. We have had only a fortnight to study this Bill. I myself have only had an opportunity of studying it actually during the last 48 hours, and I do feel that it requires more consideration, especially

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in the case of some particular chapters to which I shall presently refer, than it can receive at the hands of the Select Committee without the guidance of the public's views, properly expressed. If the Select Committee is asked to report within a week and if the Bill is then immediately passed through this House, the very important provisions contained in the chapters to which I have referred will become absolute law a fortnight hence. It is too rapid for so important a measure.

" The necessity for this Bill cannot be disputed by anybody. 6-15
Anybody who has travelled in this country must have been struck p.m.
by the conditions under which the mass of its population lives; even one who has only travelled by road or by railway must have noticed the inadequate housing and thoroughly bad social conditions of the people in the villages through which he has passed. Even the railway stations are indicative of these poor conditions. Although according to the census report the total population of India is something like 330 millions of people, if the census were only to be taken of those who are in thoroughly good health it would disclose a healthy population, I should think of only something like 30 or 40 millions—and perhaps even this is an overestimate. The need for such a Bill as this is too obvious for me to need to add anything to what has already been said by the Hon. Minister when he introduced the Bill; in its general grounds the group that I represent gives the Bill its most hearty support, and will do its utmost to see that this Bill goes through in Committee and in due course in this House. But that does not alter the fact that the Bill is on an almost unmanageable scale, as it stands at the present moment, with its 15 chapters and 144 clauses. I might remind the Hon. Minister for Public Health, and even the House itself, that when Moses formulated rules for public and private hygiene for the people of Israel on which all other kindred rules in the history of civilization have been based, his entire code was contained in five chapters of the Book of the Leviticus.

" The Bill unhappily will, as I have stated already, cause the levy of very heavy and additional imposts on rate-payers and others. The Hon. the Mover has already pointed out that, at the present moment, the expenditure on sanitation and on public health generally in this Presidency amounts to Rs. 134 lakhs and is still growing. I have no doubt that a Bill of this nature will add enormously to that very heavy expenditure, when the poverty of the country is considered; this House has got to face that fact. That being the case, it seems to us that it is most opportune to point out that we should go very cautiously with all the provisions of this Bill in order to make absolutely certain that this very heavy expenditure is fully and completely justified and is going to be genuinely well spent. Attempts should be made to see that the expenditure is not simply and completely wasted and thrown away.

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"And immediately we seem to be faced with the question of personnel. Is it possible, with the present qualifications which obtain among the Health Officers and the actual number of men at present qualified to be adequate Health Officers under this Bill—is it possible with that personnel—to ensure that all the wide and varied duties imposed by the provisions of the Bill will be adequately and properly carried out? Personally I very much doubt it, and that is why I sound a note of caution as to the far-reaching effect of some provisions of this Bill and the advisability of going slowly and taking the Bill bit by bit, and building up the health organization as the Hon. the Premier is already doing with his experiment in prohibition. He did not extend it to the whole Presidency straightaway; he took up one district first with the idea of making it a success in one district and gradually extending it to others. I do not say on this occasion that we should go district by district, but I do say that we should go through the Bill very carefully clause by clause and chapter by chapter.

"Then another point which occurs to us is this; the success of the Bill very largely depends upon the powers that are given to the Health Officers; it seems to me that this Bill gives extraordinarily wide powers. We have given notice of a number of amendments, which are comparatively minor amendments but which, we believe, will have the effect of curbing the dangerous powers to be placed in the hands of the people of the calibre of Health Officers in this country—or indeed in any country. I do not believe that we should place such wide powers in the hands of any man, whether he is a Health Officer or a Collector or anybody else. Such powers should be carefully curbed. In this Bill there are a number of provisions which vest wide powers in the hands of these Health Officers. Again, Sir, some of the provisions entrusting these powers to the Health Officers, seem to cut right across the provisions of the Factories Act and the Municipalities Act. Any employer in this House will, I think, agree with me in thinking that already industry is in danger of being unnecessarily harassed by some of the exacting requirements of the present Factory Inspectors. I am saying nothing against the Factories Act or against the Factory Inspectors; I consider it is a good Act and well administered. I can only hope that the Public Health Act will be as well administered. But the fact remains that we have already to meet the very large demands and requirements of these Factory Inspectors under the Factories Act. There seems to be considerable danger that the orders that might be given by Health Officers under the present Bill when it becomes an Act, might overlap the orders of the Factory Inspector under the Factories Act; not only factory owners but also employers of labour generally will be involved in very heavy additional expenditure. I hope, therefore, that the provisions which govern factories and workshops under this Bill, will be very carefully

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considered, and that any representations which we may make hereafter in the Committee stage may be very carefully and sympathetically considered by the Hon. the Mover of the Bill.

"Then again, we find in this Bill—the matter has been very fully dealt with by my hon. Friend, Mr. Krishnamachari—that there is no provision for appeal against the decisions of the Health Officers; it seems to me that in this matter the provisions in the Bill are not altogether satisfactory. I think we agree that, in all Acts, it is most important that there should be adequate opportunities of questioning the decisions of various officers, so that this Act shall be an instrument of public health and not an instrument of oppression.

"Then again, we notice that there are particular provisions which show how necessary it is that the Bill should be adequately considered. There is a curious clause which deals with the question of infectious diseases, and which lays down at present that all dispensaries and all other hospitals should be required to have adequate provision made for a separate ward for infectious diseases. The Hon. Minister for Public Health is an expert; but surely this provision is absolutely contrary to the theory and practice of dealing with infectious diseases, and surely it will be impossible, in any case, to have a separate ward in every dispensary for infectious diseases. It is wrong in principle; it is impossible in practice; and it seems to me that it is going to damp down the whole flame of private philanthrophy in this country. This provision of dispensaries in far-away places represents one of the best possible forms of private philanthrophy. Well, it seems to me that, if you are going to attach all these penalties to the smallest dispensary, you will damp down that particular form of philanthrophy, which I venture to suggest would be most regrettable. I sincerely hope that this particular clause will receive most careful consideration.

"Now I come to the question of venereal disease and the chapter which deals with that most important point; I spare the House details; my hon. Friend, Mr. Krishnamachari has given them just now; I find the clause provides for fines and penalties; the treatment of venereal diseases is a very serious matter not only here but all over the world; it seems to me that this Bill seeks to deal with this terrible scourge in just the way as to drive the disease underground and make it even worse in the future than it is at present. The whole principle of the method of dealing with venereal diseases in every country is to maintain secrecy as far as possible, and as long as there is a social stigma attached to this disease, this will continue to be so. I could give a long disquisition on this subject, but I will spare the House. But this particular provision of requiring doctors to notify the Health Officers of anybody that comes to them with a disease of this nature, when the present state of human sooiety is considered, seems to be the most dangerous provision; not only is it dangerous,

but it seems to me that if we pass the provisions as they are in the Bill, we are immediately going to find ourselves in considerable difficulties as legislators; because I believe that according to the code of the medical profession, at all events of those members of it who are members of the British Medical Association—and there is a very large number of them in this country, both European and Indian—all doctors are strictly bound by the rules of the Medical Association, and these rules lay down the principle of secrecy in the most unqualified terms. I am perfectly certain that the British Medical Association would visit with the severest disciplinary action any doctor who reported to a Health Officer as required by this Bill, and would not regard the requirements of such an Act as any justification.

6-30 p.m. " It seems to me that this chapter is fraught with the greatest possible difficulty. Indeed, I would suggest to the Hon. the Mover of the Bill that in view of the fact that Government does not intend to bring the chapter relating to venereal diseases into immediate operation and in view of the fact that the chapter treats of medical problems in a fashion which is going to create great difficulties for the medical profession, the chapter should be left out of the present Bill and perhaps brought up again either as an amendment to this Bill or as a separate Bill at a later stage after consultation with the medical profession, and I suggest, with the British Medical Association also. I feel that this is the proper way of dealing with this matter and that a carefully considered separate Bill dealing with the venereal disease problem could receive the support of my group and of the people in this Province generally.

" Well, Mr. Speaker, I think I have covered the general remarks I have to make on the subject of this Bill. I hope that the Hon. Minister for Public Health will not consider that I have been too critical when I bring these matters to his attention. We feel compelled to point out certain general principles which we think ought to be observed and to point out all the possible dangers and difficulties which may arise with a Bill of such far-reaching nature as this, but on the general principles of the Bill, we can only congratulate the Hon. Minister for Public Health on the courage, the skill, the experience and the knowledge he has brought to bear on the Bill, which when it becomes law will, I believe, have a far-reaching effect on the health and the well-being of this Presidency."

* Rao Bahadur Sir A. T. PANNIR SELVAM:—" I must offer my heartiest congratulations to the hon. Member of the South Indian Chamber of Commerce on the very able and instructive speech which he delivered in moving the resolution. Obviously he has devoted a lot of time and thought to the Bill which is now being sponsored by the Hon. Minister for Public Health and after the exhaustive remarks made by him, I should not have thought it necessary to get up at all. I do so, however, as I feel that I must express my thanks to the Hon. the Minister for Public

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Health for his comprehensive and illuminating speech which he made about the medical services and public health services of our Province, as being the best in the whole of this vast country. This is the best possible tribute that could be paid to the work of the past Ministers who were in charge of the departments. It is a great and precious heritage which this Ministry has received from its predecessors and I would only appeal to the present Ministry to cherish and nourish those services. The schemes of the present Ministry for the revision and reform of the medical services leads one to shudder at the future prospects of the medical services of our Province. I particularly refer to the system of honorary men in the medical services. But as regards the public health services, we have had so far no innovation of this kind. The present Bill however seeks to confer autocratic powers in those services and may thereby reduce their efficiency. My friends, Messrs. Krishnamachari and Krishna Rao referred to the haste with which this Bill was sought to be hustled and rushed through. I must disagree with that statement. As regards this Bill we have been treated very much better than on previous occasions and when other Bills were being sponsored by other Ministers. We have been allowed 17 days from the 10th November to the 28th November. There is time enough to read through it at least once, 15 chapters and 144 sections. I thank the Hon. the Minister for Public Health also for the consideration he has shown in allotting some time for the different stages of the Bill. He is considerate enough to propose a Select Committee. He originally intended making it returnable by a particular date. But he has been good enough to alter it to as early as possible and I am glad, Sir, that at your suggestion, even this qualification has been omitted. So the Select Committee, without any instructions from this House, I am sure will take as long as it is necessary and not as early as possible, before it submits its report. I have no desire to go into details. I wish to refer only to one point. And that is the interference with the local bodies. I ceased to be president of a district board eight years ago, and I may state that I have no ambitions in that direction. So it is not because of any considerations of a personal character that I make this criticism. The Hon. the Minister for Public Health paid tributes to the medical and public health services and said, and rightly said, that our public health services were not far behind the times. It is however to be admitted that we have yet much headway to make yet. But are we to sacrifice everything for that? It may be all right in a Totalitarian State where the people are supposed to exist for the State, but under a democratic government, where the State exists for the people and the fitness of the body is not the be-all and end-all of life, there is such a thing as the soul and I say that in a political State soul has its origin in local institutions. But session after session we see Bills brought up affecting the freedom of the local bodies and no day of this House passes without some power or other of those bodies being curtailed.

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"The Hon. the Minister for Public Health had said that those local bodies had not behaved themselves properly. I do not challenge that statement. But can it be said that even the Ministers always do the right thing? There are black sheep everywhere but that is no reason for putting all local bodies in one class, shear them of their powers and keep them as your mere tax-collectors to incur all the odium. I would submit that this Bill may produce healthy subjects, and healthy subjects alone, without an aspiring soul in them, would not be of much use to the public weal. In conclusion, I would only say this, that I am extremely thankful to the occupants of the Treasury Benches for considering that this part of the House to which I belong cannot make any contribution to the consideration of the Bill in the Select Committee. I am at the same time thankful for the varied representation by way of communities that has been given to it. Out of the 15 members of the Select Committee we have got a Brahman, a European and a Muhammadan and as far as non-Brahmans are concerned, we have a plethora of them, all from that side of the House. There is therefore communal representation, if you like, but I fail to understand why it is that the Ministry have thought that my own block of the Opposition do not deserve any representation on this Select Committee. Personally I welcome it because we should feel ourselves all the freer and unfettered when the Bill comes up for discussion later on, and we shall also be able to tell the country that we were not given an opportunity by this popular Government representing the millions of the Province. (Interruption by the Hon. the Prime Minister.) I shall not press this matter further in view of what the Prime Minister says—I understand that the list is being revised in the light of certain recommendations made by the hon. the Leader of the Opposition. I shall conclude by saying that nothing would be lost by circulating the Bill for public opinion, more particularly to the local bodies whose interests are affected, whose powers and responsibilities are proposed to be curtailed though it is they that have to pay for the amenities that are to be provided. They are the people who have to collect the resources for all the schemes that you are promulgating. Is it fair, is it right to ask the local bodies to incur the odium and take the responsibilities of collecting the money, of hoarding it up and handing it over to you to be used as you like? I would only submit that local bodies—I know that they are very well represented on the Select Committee, my own district is going to be represented by my friend, Mr. Nadimuthu Pillai—and the local board presidents might themselves welcome the public opinion of the members of their boards. I would therefore strongly recommend that this Bill may be circulated for public opinion, and in particular to local bodies for their opinion."

.45 * H. S. HUSSAIN SAHIB BAHADUR:—"Mr. Speaker, no
.m. doubt we must all be very grateful to the Hon. the Minister for

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Public Health for the great pains he has taken in drafting this Bill on public health. I may also say that this important measure has been long overdue, but I feel that what my hon. Friend, Sri T. T. Krishnamachariar, has stated is also true, because of the importance of this measure. The Bill has been before the public only for two weeks, and this is a pretty long Bill. I am sure many of the hon. Members of this House might not have had either the time or the convenience to go carefully through the Bill, section by section. That being so, it is necessary that some more time should be given for this Bill to be considered by the public at large, especially by the local bodies, which are, in my opinion, primarily concerned with the working of the proposed legislation. These local bodies have to provide the necessary funds for carrying out the provisions of the Bill; we know that most of the local bodies of the Province have not got sufficient funds and that some of them are practically on the verge of bankruptcy. They are not even able to carry out their legitimate duties to the satisfaction of all. Therefore, Sir, if a measure like this is to be considered by us here, the opinion of the local bodies is as important as the opinion of the medical men who may be experts on problems relating to health. No doubt the Hon. Minister who has introduced this Bill is an expert himself, and we also feel that he must have given his best thought and attention to the measure; but all the same, this is a measure of far-reaching and vital importance to the whole Province. Of course it may be said that the Minister being himself a medical man is competent to put through a measure like this whatever the public opinion might be. But that is not it. What we want is public support and the support of the local bodies which have a dominating voice in matters connected with this Bill. So, Sir, for the reasons already given, I feel I must support the motion of my friend, Sri Krishnamachariar, to circulate this Bill for eliciting public opinion.

"Sir, the Bill which has got as many as 144 sections and the Statement of Objects and Reasons of which runs into as many as ten pages, is a comprehensive measure which should not be rushed through within a few days, whether it be ten days or fifteen days. Every section of the Bill, in my opinion, requires careful consideration and attention. Under clause 130 of the Bill, for instance, it is provided that local bodies should earmark a certain portion of their revenues for purposes of this Act. As I said just now, the local bodies are not in a position to meet even the ordinary demands on their purses, and if, under this Bill, 30 per cent of the income of the Municipalities is to be earmarked for the purposes of this Act, and 12½ per cent of the income of the district boards also is to be earmarked, I want to know how they can do so. It will be a great burden cast on the local bodies which are not even able to carry on their legitimate duties and take up some useful activities. If they

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are compelled. as under this measure, to earmark a portion of their income for this purpose, I am sure they will have to cut down their other legitimate expenditure and curtail their useful activities. All these aspects, Sir, should be considered before we take into consideration a measure like this. It is therefore quite in the fitness of things that this measure should be circulated for eliciting public opinion, especially the opinion of the local bodies. This is a measure which is the first of its kind, introduced in our country, and our Province, perhaps, is going to be the first to have such a measure. Indeed, I am glad that the Hon. Minister has, in introducing this measure, set an example to the other Provinces; but in his eagerness he should not show undue haste because it is a measure which is, as I said, of far-reaching importance to our Province and vitally concerns the welfare of all local bodies.

"Again, Sir, authority is being sought to be given to the Health department. No doubt, generally such a course might be welcome; but at the same time, when such authority is sought to be given to individual officers, we must consider the position of the local bodies, the municipalities, the district boards and the panchayats. They should not be reduced to a position of impotence, and they should not feel that they are going to be bossed over by yet another man, the head of the Public Health department. They must be willing and prepared to co-operate with the Health department in a spirit of good will. Only then the operation of the provisions of this measure will be really useful to the people of our Province. Otherwise, there will be heart-burning.

"So, though as far as possible I am willing to support a measure of this kind, I must on this occasion advise hon. Members of this House, if they are inclined to take my humble advice, —and perhaps they may say that I am not in a position to give them advice on this matter, so I shall put in a suggestion—that some more time should be given to the public and that this Bill should be circulated for public opinion. With these words, I beg to support the motion of my hon. Friend Sri T. T. Krishnamachariar."

Mr. SPEAKER:—"The Hon. Minister in charge may now reply."

(Mr. Basheer Ahmed Sayeed and the Hon. Sri C. Rajagopalachariar both rose in their seats.)

Mr. SPEAKER:—"Does the hon. Member, Mr. Basheer Ahmed, wish to speak?"

BASHEER AHMED SAYEED SAHIB BAHADUR:—"Yes, Sir. But I give preference to the Hon. the Prime Minister."

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Mr. SPEAKER:—"Hon. Members must rise in their seats if they want to speak."

BASHEER AHMED SAYEED SAHIB Bahadur:—"I do want to speak, Sir. Mr. Speaker, I do welcome the Bill before the House. It has been a long-felt measure; the general principles underlying the Bill must have been in force much earlier than now. But at the same time it cannot be forgotten that all the provisions which are now included in this Bill are already found to some extent in the various laws existing to-day, such as the Local Boards Act, the District Municipalities Act, the City Municipal Act, the Food Adulteration Act, etc. All these Acts do contain provisions of a similar type, and yet there has been a necessity felt for a measure such as this. It may be asked, 'why?' The main reason seems to be that whereas the laws have existed all aloug, those laws have not been put into operation for want of adequate machinery to put them into force, and consequently there has been no improvement in public health. So far as my personal knowledge goes, I may say that almost all the provisions of this Bill are in a way contained in the City Municipal Act and the Health department of the City Corporation is a large and extended separate department. Notwithstanding the efficiency of a well-organized Health department in the City of Madras, we see that public health is as bad as it could be in the City. Hundreds of cases are found where action could be easily taken by the Health department, and yet that department does not take any action to prevent nuisance, and the commission of offences against the laws of public health. Several instances are being brought to the notice of the health authorities, and yet no action is taken and no effective check could be made over, or for the prevention of, these offences. Even so with regard to the Municipal Act in the districts, and even so with regard to the Local Boards Act. What is the reason? The reason has been, for one thing, the absence of an independent and educated public conscience. There has been no civic sense developed so far; the National Health Association has been doing a sort of propaganda to inspire a certain amount of civic sense in the public at large. There was also the Health Propaganda Board which has been doing some work in the direction of developing a sense of what is right and what is wrong in regard to public health in the minds of the people. All the same, the position continues to be what it was years ago and has given room for thinking that although there is ample scope for offenders being punished, still offenders go unpunished. In the City of Madras, for instance, we see streets regularly converted into big latrines. It was only the other day that Colonel Wright of the Medical department said that the Madras Marina is the longest latrine in the world. That does not give us much credit. My friend here says, 'It does not look so,' but some who go along the Marina have had occasions to bring such

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things to the notice of the Minister for Public Administration or the Minister for Public Health, as the case may be. It may be that what Colonel Wright stated was an exaggeration, but it cannot be denied that there are certain portions of the Marina which in certain parts of the year are most insanitary, and it is intolerable to walk through those parts. No doubt, it may be
7 p.m. due to various causes; it may be due to the City municipality itself, or it may even be due to the conservancy staff or the employees of the Corporation itself. But, Sir, the fundamental fact remains that there is no effective machinery invented to prevent crime against laws relating to public health. Of course, many of the items relating to public health are covered by the Bill. For instance, there is food control. Sir, the Food Adulteration Act has been in existence for a number of years since 1918 and it has undergone many amendments. All the same, the number of cases that have been brought up before the magistracy for the prevention of adulteration of food is negligibly small; and there are several areas in the Presidency to which the Food Adulteration Act has not been extended. Though there have been innumerable number of cases of food adulteration, yet no effective steps have been taken to prevent them. Sometimes cases are launched; sometimes they are withdrawn, and again there are cases which continue for one year or even two years. Such things are not going to achieve the purpose. You might have laws, effective laws, but still unless and until there is an adequate machinery to put them into effect you will not achieve the object for which legislation is now sought to be introduced. Taking the case of lodging houses in the City of Madras, I submit they are fruitful sources of public nuisance and yet the Corporation has found it difficult to remove even one lodging house within the period of a year, since there are many lodging houses which deserve to be closed. Of course prosecutions take place, and since the procedure involved is so interminable, they think the mere levy of a fine would be sufficient. But the levy of a fine alone is not adequate to bring about the result. Therefore these lodging houses continue from year to year notwithstanding the fact that prosecutions have been launched.

"In the City of Madras, the greatest nuisance is the beggar problem. The ill-clad, dirty and unhealthy or diseased begger is going about in the streets and committing every imaginable nuisance. Unfortunately, Sir, I searched in vain the whole of this Bill to see whether there is any provision or clause in it to deal with this nuisance by beggars. Except the very vague definition of the word 'nuisance,' there is nothing to prevent the greatest injury and the greatest harm done by these beggars, these indigent beggars, to public health. I would have welcomed the Bill still more if there is a provision dealing with this problem effectively. There is nothing in the Bill.

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"Again, Sir, in regard to the diseased beggars, at any rate, there is no power given to the Health Officers or their authorized subordinates to segregate them, with a view to prevent the further spread of the disease. Sir, time and again the Corporation of the City of Madras has been agitating for an effective law to put down this nuisance which adversely affects the public health, but nothing could be done. Even this measure is disappointing in that respect.

"There is a good deal of centralization that is sought to be achieved by this Bill. I thought, Sir, the principle was one of decentralization; but instead of that, in very many respects, under the several chapters of the Bill there is a good deal of centralization by the Government taking absolute powers and responsibilities upon themselves to do things in the way which they think fit. Such a kind of centralization is certainly derogatory to the powers that are already vested in the local authorities. The local authorities, instead of being called upon by the Act to put into operation the various sections of the Bill, are sought to be rid of these powers. I do not think it will be helpful at all for the development of public sense.

"Then there are very many clauses in the Bill which call upon the local authorities to levy taxes on water-supply, taxes on vehicles and for various other things, and bear a percentage of expenses of the health services. It may be that certain municipalities are able to cope with this taxation; but then there are various other provisions which involve further commitments on the slender resources of the municipalities. The Bill does not provide so far for any definite Public Health Fund. Of course there are the Public Health Boards, but they are made merely advisory —advisory in regard to matters that may be prescribed and advisory in regard to matters that may be referred to them by the Government. But with regard to the actual finances required for the administration of this Act, nothing is to be seen in the Bill. I would expect Government to take courage in their hands and say that such and such fines or such and such sources of levy shall be constituted into a Public Health Fund which can be administered for the purposes of public health. The municipalities are sought to be taxed over and over again, but they are not shown any extra sources of income. I know that taxes used to be suggested by the City Corporation but they did not receive the sanction of the Government. Such being the case, the aspect of taxation that is involved in this Bill is a serious matter.

"Then there is the question of obtaining the opinion of the party concerned. As already pointed out, the time given is too short. I have always pleaded that legislation should not be made in a hurry. No doubt there are occasions when discussions could take place in a hurry, but nothing will be lost by postponing

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this measure for another month or two. There are certain provisions in the Bill as a result of which certain sections and certain communities will be affected seriously. For instance in the matter of food control, the opinions of non-vegetarians will have to be respected in regard to this. I think, Sir, that is a matter on which certain sections of the people would like to express their views and the time given is not adequate for the purpose.

"Besides, Sir, there is also the question of taking large powers under clauses 143 and 144 of the Bill. True, the Government expect that in a measure like this there will be very many difficulties to be overcome; and a huge measure with all its magnitude is certainly such that it threatens complications which require easy solution by executive authority. It has now become the practice of the day that every measure shall have a provision saying that members shall be removed by the executive orders of the Government. And then, as was pointed out already, clause 143 is a fundamental one. There seem to be certain powers vested in the Government, but if you traverse through the sections, against every section you will see the rule-making powers of the Government.

"Then, Sir, with regard to appeals against the orders of the Health Officer, an appeal shall lie to the Commissioner or the local authority or the Local Government. In certain cases it is provided that there shall be a certificate obtained before a person could occupy a house; but no provision seems to have been thought of for the speedy disposal of such certificates or licences as the case may be; and if within the prescribed period if it is not disposed of, it is presumed to have been granted. But, in a case where an entry is to be made in a house, it is not stated what is to happen if the Health Officer or the authority concerned delays the issue of the necessary certificate for the entry. I will concede this, that in times of epidemic, or in times of great nuisance or danger to public peace or public health, there should be proper limitations prescribed against the abuse of such entry in the house at any hour or part of the day. But it cannot be said that such unlimited powers should be given to Health Officers in general. I welcome that the Health Officers should have final powers and they should have the right of arresting persons who commit offences on the spot and putting them before the courts, but unfortunately there is no further machinery than that provided in the Bill. Certainly the strict enforcement of the provisions of the Bill will entail much more work on the magistracy and the criminal courts of the Province, but there seems to be no addition to the list of magistrates who will try such cases. Here again it is well-known that law's delays are enormous and the criminal courts take months and years to decide cases concerning public health and offences against municipal laws, and unless an effective machinery is

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created under the Bill, we are not going to easily and speedily dispose of offences against public health and there will be no use of a Public Health Bill of this type. I would suggest that in all these directions there is need for amendments. True, Sir, the Select Committee will be given opportunity to go into all these aspects and make amendments, but then, as usual in Select Committees, there will be only very short time at their disposal. If the Bill has to be brought back to the Assembly within a week or ten days, the Select Committee must have been able to obtain public opinion in this Province, and if no time is given to them to know what exactly is the public opinion, there is certainly no use. It may be too much to expect any useful contribution from the members of the Select Committee towards the moulding of this Bill in proper shape. Considering all these aspects, I would say there is justification for delaying the consideration of this Bill for a reasonable time. I do not want to suggest that the Bill should be delayed for a year or six months, but if the Bill could be delayed for a reasonable time, say another month, it could be possible to obtain public opinion. In fact no opinion has been obtained from any local authority whose powers are sought to be taken away, and no investigation has taken place as to why the municipalities have failed to discharge their functions in bringing about a decent standard of public health in spite of the laws that have been in existence for decades. If there had been such an investigation, and if opportunity had been given to local authorities to show the causes for these real nuisances, and why they were not able to give effect to many of the salutary provisions in the matter of developing the standard of public health, it would have been helpful for us to legislate in this session.

" No opinion has been ascertained from local bodies. At any 7-15 p.m.
rate the Hon. the Minister has not referred the Bill to elicit such opinion.

" Further, this Bill is one that requires a certain amount of engineering skill on the part of the executive authority. I would suggest that the Board if it is constituted with the Sanitary Engineer as one of its members would be able to contribute a good deal by way of advice on matters prescribed and referred to it. Again, there is a lot of construction of drainage works, and water works. These works are not really within the purview of the Health Officer. The Health Officer who is given power over water-supply works as well as the construction of drainage works is not the competent authority. The competent authority for the purpose of drainage works and water-supply works will be some civil engineer with experience in the said works. I would suggest that you must make the distinction between these officers in the discharge of their respective functions. I think there is need for public opinion in that respect as well. I therefore submit that

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while the Bill is a necessity, and it ought to be pushed through within a reasonable time, there is need for various improvements in various directions. This can be given effect to only if the Hon. Minister is able to give time to the public to know exactly what its shortcomings are, and in this case, the opinion of the local bodies which are likely to be affected by this Bill will be of utmost help in putting this measure on a very sound basis."

* DR. M. J. SAMUEL:—" Sir, having heard a *resume* of the work done by the Public Health department for the last so many years, and the remarks made by the Hon. Dr. Rajan, the Public Health Minister, I would like to offer a few remarks at the fag end of the session to-day.

" Sir, the Hon. the Minister for Public Health quoted facts and figures to show that the country is ready to work this Public Health Bill. He has stated that the health weeks that were being celebrated every year were an indication of the readiness of the country in the matter of working the Public Health Bill. I, as a medical practitioner from the mufassal, working in the rural parts for fifteen years, wish to say something on this. I know that in the villages these celebrations are being conducted by a few interested persons here and there, just to show themselves that they are public health workers, while in reality they are not propagating the health of the village. Therefore, I think, Sir, the country is not ripe to accept this Bill or to work it out, inasmuch as the people are so ignorant of this. Much propaganda work has to be done, as it was done in the case of the introduction of Prohibition in Salem and other places where people have been educated that prohibition of drink is a good thing indeed. My humble opinion is that the Bill has not reached even a few in the country. Only last week, I had the occasion to meet a few of my medical friends in the district and I asked them for their opinion on the Bill; but not a single man was able to say a word on the subject. Even the District Health Officer could not give a few remarks on this important Bill. Therefore I honestly think, Sir, that the Bill should be circulated to and placed before the local bodies and before medical associations for their opinion and advice.

" Sir, as a medical practitioner, I would like to congratulate the Hon. Dr. Rajan who has taken so much pains and showed so much patience and tact in getting up the Public Health Bill. The proposal that public health should be the concern of a Board whose authority should extend over the whole of the Province is commendable. But the personnel of the Board is too meagre and does not give any representation to the large body of medical men working both in Government and private institutions. Another association which is existing in this country for the past many

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years, viz., the Christian Medical Association of India, Burma and Ceylon, having nearly 500 institutions under its care in India and maintaining nearly 22,184 beds for treating in-patients has no place in this Board. There are surgeons and physicians in this association who can contribute their quota towards the working of this Act and who can benefit the country by their sound advice. I therefore suggest that when they consider this Bill at the Select Committee, amendments might be made to give representations on this Board to the medical associations in the country.

"The intention of the Bill to place the Director of Public Health as its executive head is laudable and the success of the Bill will be assured. It is very pleasing to note that all the victimization of the subordinate staff of municipalities and other local boards is put an end to by placing the subordinate health staff under the control of the district or municipal health officers. The proposals regarding water-supply and drainage are admirable; and the public must be willing to co-operate with the Government in putting the various schemes adumbrated in the Bill into practical utility.

"At this stage, Sir, I would like specially to congratulate the Hon. the Minister for Public Health on having put all his knowledge of medical science into practical utility by making provisions in the Bill to tackle the problem of venereal diseases. The incidence of the disease in the land is appalling. While I do not have the correct figures, I think I may say that one out of every five is infected with some sort of venereal disease or other. The disease has eaten into the vitals of the nation, and the manhood of the nation can only be resuscitated by bringing the disease under control. While the Bill has therefore been conceived with the best of intentions, I am sorry to state that the provisions of the Bill with reference to the control and treatment of venereal diseases are defective.

"The Bill is defective firstly in that no provision is made for ensuring well-equipped and properly qualified staff of health inspectors in local areas. I do not know how far the Bill is justified in entrusting to unqualified hands the work of reporting suspected cases of venereal disease. Of course provision is made for secrecy in treatment of the disease. As the hon. Members of this House are aware, the contraction of venereal disease is said to be a social stigma and degradation of one self in the society. I am afraid the powers given to a physician or other person may be misused by the persons authorized to report cases for exposing the so-called venereally infected persons to the close scrutiny and examination by the local authority, who may not know the rudimentary principles of diagnosis in this dreadful disease. I have known cases where a simple case of urethritis has been mistaken

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by a qualified medical practitioner for a case of venereal disease and treated accordingly on up-to-date lines with all sorts of vaccines and chemico-therapy.

"It may be remembered that the majority of the health inspectors employed by local bodies are persons who have had no medical training and as such provision has to be made for substituting a suitable agency for such inspection.

" Secondly, the Bill provides for a real obligation on the part of a purchaser of a specific, to disclose whether it is intended for him or for another. But no provision is made as to the liability of the purchaser in cases where it turns out that the person for whom it is alleged to have been intended is not a person suffering from venereal disease. While a legal obligation has been cast on the medical practitioner to report cases of infection, what about the large body of indigenous practitioners, some of whom are qualified and clever but the others could only be classified as 'quacks'? That is why it is necessary that the legal obligation should be cast on the patient only. A legal obligation must be cast on every person who is reported to have purchased the drug. I believe, Sir, that as under the Prohibition Act, the burden of proof of innocence ought to be thrown on the person purchasing a specific from a druggist.

" The Bill provides that the medical practitioners shall report cases of persons who have not been completely cured and for action to be taken by the Health department. The certainty of a complete cure in at least one case of venereal disease has been recognized by the medical profession as a matter of doubt. Assuming that complete cure is possible and that persons who have not been completely cured can be compelled to undergo the treatment, may I know whether the Government has provided in the Bill the grants necessary for such cures? As most of the members here know, the treatment of venereal disease is a very costly one. As far as my knowledge goes a complete treatment for cure of syphillis at least requires Rs. 50. I want to know whether this Bill has made any provision to supply all the necessary drugs and other equipment for the treatment of venereal diseases."

* THE HON. SRI C. RAJAGOPALACHARIAR:—" I had not known that I would be called upon to intervene even for a few words. But the member from the European group drew the attention of the House to the consequences that may follow from this Bill, and said that it would cost more taxation, and possibly lay greater burdens, apart from the tax-payers, upon the employers of labour and so on. He invited me to follow some method, even should it be addressing a mass meeting, to explain exactly the amount of new burdens and new taxes that would involve the tax-payers and employers of labour in. So I am coming in, and I crave the indulgence of this House at this late hour to say a few words on a few salient points in this connexion.

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"I wish to explain, Sir, that this Bill, as has been remarked 7-30 p.m. by many, does not give money; it is not a cash Bill, it is a Public Health Bill. There is no money offered in the Bill, it is true. But there are a few points to be brought in these various clauses with regard to the money side of the matter. One of the essential principles running through this Bill is that certain proportions are sought to be fixed with regard to expenditure incurred by local authorities over public health measures. These proportions are already exceeded in some cases by various local bodies. At the same time, in order to make a beginning of compulsion in regard to the relative attention to be paid to public health, it has been suggested in this Bill to lay down a principle of a minimum proportion of local authorities' expenditure in regard to public health. I may, at the same time, assure hon. Members that in laying down such proportions, no attempt has been made to exceed the existing average expenditure reached for various local bodies. It is true that new powers of additional taxation are given to local bodies, but local bodies may be expected to take care of their own limitations; it is only the proportion that is fixed; further taxation by local bodies is left entirely to them to suit the exigencies of various local bodies.

"Another principle that runs through this Bill is based on our experience. It is true that local public interest is the final solution for all these difficulties. But hon. Members should not mistake decentralization of service with decentralization of power. Experience has taught us that if local bodies are asked to exercise authority in respect of matters of compulsion which impinge the liberties of individuals, they will be loathe to exercise them. And we will have to choose between two evils; either leave matters of this unpleasant kind unattended to, or take over the burden of unpleasantness on the central authority and leave the local authorities to the decentralization of services which they alone can do. But decentralization of penalties without exercising authority over individuals, experience has shown, cannot be and will not be properly exercised by local bodies. The principle, therefore, that is maintained in this Bill is this: it is, as the Member for the European Group very rightly pointed out. He said, 'The cost of reform has not been calculated, the Bill is so many sections long, new duties have been laid down, vast attractive schemes of work are planned out by sections; how are you going to meet all this cost?" He was right in asking this question. I am only touching the general principle. I am not going into the detail, but I am seeking to answer that. It is a dilemma before us. We are pledged to reform; we are pledged to make life tolerable in this country, if not first class. It is necessary to attend to public health. It is a growing evil, everybody admits it. Even those who want to be moderate, admit that this must be attended to immediately. But the dilemma is this. If we attend to it immediately, well and efficiently—efficiency alone can justify interference with private

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affairs of this kind—if we have to attend to it, the cost will be very great. True. But the cost will be very great if the present rate of cost prevails. If we must maintain the present rate of payment for labour of this kind, or supervision of this kind, or control of this kind, I frankly confess it is an impossible work. We have to choose to allow the country to rot. I admit that. Putting the observation of some Members which prove conclusively that the cost is very great, together with the observations of some hon. Members who say that it must be attended to at any cost, I could come only to this conclusion, that the services in the matter of public health must be widened, everybody must be made to take part in this work, and not merely a few paid officers. The second conclusion that I come to is that even those who have to be paid for their services must work for less payment. These are the two conclusions that I come to. I frankly admit the niggardliness of this position; I frankly admit this is a very commercial Bill, so to say, commercially-motived Bill, which tries to lay down duties on varied people who are not to be paid at all. Secondly, perhaps, if the Finance Minister is to be believed, the Bill proposes to make labour and service cheap also. I confess that this is our intention, this is our policy. Otherwise, the only alternative is, not to touch public health in this vast country that abounds with villages which cannot be managed properly or efficiently and must be left to remain oriental as they are. I submit we cannot agree, the present Government cannot agree, to that alternative. The other alternative is this: it is not enough to employ a few highly paid officers in the department to work harder. It is not enough to window-dress the business. We must lay down duties for looking after the health of the country over a wider circle of people, and do our best to get that service done, and try our best to get service rates compatible with the condition of our country and the needs of the country. If this observation of mine is looked upon with disfavour, this Bill is bad. But if this observation of mine is looked upon and approached with sympathy, then this Bill contains valuable material and the country can benefit by it. But, if we do not get the men, if men cannot be made to work without service payments or at lower payments, then I admit at once that this Bill will be only another piece of window-dressing. I frankly confess that it will fail. We cannot leave it at that. We must try to see if there is some public spirit in this country, if there is public spirit enough, not merely to take part in elections and the like, but also for doing work. We shall succeed. That is the hope behind this Bill. 'Decentralization,' 'powers of local bodies being robbed;' all these were referred to. All these must be translated in the language that I have now employed. We want to give enormous powers to local bodies to do the work of securing public health. We want to give enormous responsibility to local bodies to do the work of securing public health. But if the authority of interfering with individuals is the one thing that local bodies want,

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all that this proposal seeks to do is to have a series of arrangements by which every man who is asked to do something or other can go from officer to officer, from the overseer to the supervisor, from the supervisor to the commissioner, from the commissioner to the local body, from the local body to the board. Everyone having enormous amount of liberties written down for him, advocates may appear on their behalf, litigations will be thrashed out. In this, there is no aspect of public health. If the Select Committee revises this Bill in that direction, it will become a ' Public Litigation ' Bill, and not a Public Health Bill at all. We hope that the officers of this Government will be secure, will be honest, will be just, will be judicial, will have commonsense and will have a sense of proportion and act properly. If we do not feel properly, appeals will not protect this country; appeals will only cost this country. They will not protect this country by any means. Therefore, I unhesitatingly refuse to accept the proposal to make the litigation element in this Bill fuller and more effective. I want the confidence element in this Bill to be made more effective, and if the confidence element proves ineffective, the services must fail, and the Government must fail and the Bill must fail. I do not think that providing for statutory appeals against orders with regard to public health will ever protect a country. As regards local bodies, as I said, they will have the fullest power with regard to policy. They will have the fullest power with regard to activities, will have the fullest power with regard to financial schemes and having them thoroughly thrashed out and doing the work. It is only when they came into conflict with one another that the Government propose to interfere; because they hope that the Government will be able to protect the general interest in such cases far more effectively than the local bodies themselves can manage in their own local areas. If these principles are accepted, I submit, the Bill is a good Bill.

" The Bill looks large, because, it is a synopsis, it is a culling together of the provisions which now lurk behind a number of Acts which are in force. They are all brought together here. There is the Local Boards Act, there is the District Municipalities Act, the City Municipal Act and a number of other minor Acts; and the provisions relating to public health in all these Acts are brought together. Hence it looks very large. Secondly this Bill does not deal with ordinary matters of legislation. This is an administrative Bill. It deals with how we have to deal with day-to-day difficulties in regard to public health. Therefore, necessarily, it cannot be a short Bill. It is bound to be a big Bill and I challenge hon. Members versed in the legislative measures in other countries to produce a good Bill which will be much shorter than this. Any health Act that may be produced in any other country must be an enormously big volume. I have no doubt, that our Health Minister has been somewhat considerate in making it only with 150 sections. I hope it will be filed up by a number of other rules issued under

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the various sections, whenever doubts and difficulties arise. Therefore, a long Bill need not frighten anybody. In fact, the longer the Bill, the lesser the litigation. If an Act is short the legal acumen available in this country will try to increase litigation. Sections will look small in number, but litigation will increase. The larger the number of sections in a Bill, the greater will be the security and the less of bother and disputes consequent upon the Bill. It is only to assure hon. Members I am to make them more confident with regard to the length of this Bill which need not frighten anybody. Let us take our own Constitution Act, the Government of India Act, which consists of 360 sections. Whether they are good or bad, there is a section for everything in that Act. If there had been only a few sections, there would have been an enormous amount of litigation in the Federal Court and long litigation would have been the consequence. So the length of the Bill need not frighten anyone. As I already said, most of the clauses are old sections. They are only old friends in a new dress. If you take the various other Acts, you will find the same language. But the difference brought out here is, as I already stated, these principles that I referred to, and the difference that comes between the old provisions and the provisions proposed here. Hon. Members who referred to various matters may rest assured that the Select Committee will thrash it out and will give the utmost consideration to the various points of detail that were brought out in the course of this debate. For instance, supposing there is power which is too much, the Select Committee will cut it down and will provide safeguards. Provided the principle is kept in mind, the Select Committee will be given ample room for consideration of the various difficulties or doubts raised as regards detail.

" As regards circulation, I may point out that this Bill, on the whole, has received warm welcome in all quarters. In fact, the only criticism that has been heard is only that heard to-day, in this House; because we are near business, the attention of Members has been drawn to business and rightly drawn to defects and objections. At the same time, it is only in the matter of details. The public as a whole, the profession as a whole, bodies, organizations and associations as a whole have not raised any objections to the Bill as such, saying, ' We must read this Bill many more times over and we must have further time for circulation of the Bill.' I do not believe that that was the response that was received for this Bill. Therefore, there is no reason for circulation of this Bill at this stage. I assure hon. Members that if they accept these principles, the details will look after themselves."

MR. SPEAKER :—" Does the Hon. the Minister for Public Health think that it is necessary that he should say anything by way of reply? "

THE HON. DR. T. S. S. RAJAN :—" I have got the right of reply."

MR. SPEAKER :—" Will you exercise that right? "

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* THE HON. DR. T. S. S. RAJAN:—" Sir, it is understood that, under this Bill to-day, we are not to go into the details of the Bill; But, yet, I am afraid, in the course of the debate, the details have been considered more than the general principles. On the whole, I may say, the one criticism made, or at least as I understand it, the general charge levelled against this Bill, is that we are rushing through this legislation. I do not know what is meant by that; I cannot understand what people mean when they say ' rushing through legislation.' We have to get this legislation at some time or other, and hence this measure is now before the House. This is not the first time when we have a measure like this; this is not an entirely new piece of legislation. It is only a consolidating measure, and I do not see any reason why people should say that we are rushing through this legislation. Every effort has been made in the composition of the Select Committee to give representation to as many groups as there are here in this House, and there is ample time and full scope in the Select Committee stage to deal with the Bill in all its aspects. I, for one, will be only too glad to receive from any member of any party such amendments as may be thought necessary, which would help in making this Bill a success. I do not think any amount of time spent in that way is wasted. As I said in the beginning of this debate, I want the co-operation of all Members of the House in getting this Bill accepted. 7-45 p.m.

" I wish to repudiate here and now the statement made by Mr. T. T. Krishnamachariar that the Government have fought shy of this matter, in that they have simply signed the Bill without examining the implications thereof. And he also said that Government have not taken into confidence anybody in the framing of the Bill. It is certainly not the case; every available legal talent has been utilized; every expert opinion was availed of; every aspect of the case was gone into thoroughly. It is rather strange that a Member of his standing should make such a remark.

" Sir, I do not wish to detain the House long, as the Hon. the Leader of the House has already discussed the matter clearly. He has also said how and why the Director of Public Health should be given a statutory status. And he has also said how the whole health service should be given a statutory basis. I know even panchayat boards will not grudge to spend sums on public health service; they are willing to spend money even to the extent of 20 to 30 per cent of their revenues; and I have come across unions in which the members are ready to spend even to the extent of 60 per cent of their revenues in this matter. We have got records to substantiate this statement. And therefore I may say that financially this Bill is all right.

" Then mention was made about the conflict of duties that will arise between factory inspectors and health inspectors. I have taken great pains to see that such things do not occur, and every effort has been made to demarcate the duties and functions of each of

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these officers. And I do not anticipate any conflict of duties. I assure the factory-owners and owners of plantations that this Bill is intended to improve the health of labour in their areas. The Bill is not intended to put obstacles in their way. As compared with other countries, the number of factories in the province is very very small; and hence factory-labour population is very small. I have gone to various plantations and factories, inspected personally the condition of labour prevailing there, and I recognize that while in some respects extraordinarily good things have been done, many other things were left undone. In fact, I have pointed out one or two cases of meagre or inadequate health measures taken and brought it to the notice of the administration concerned. It is not as if the factory owners are going to be tyrannized. Far from it. I am sure owners of factories and employers of labour would co-operate with the idea of providing healthy labour, because it is to their own interest more than to the interest of the Government or of any party that they should have more healthy labour. And therefore, one need not run away with the idea that the labour force will be affected adversely by this Bill. On the other hand, this legislation will enhance the strength of the labour force by making them a healthy unit of work, which means more profit to the employers.

"With regard to the drafting of the Bill, something was said. One hon. Member said every effort to improve the Bill has not been made. And he himself confessed that he is not an authority on the subject, and he went even so far as to say that I am an authority on the subject. I may assure him that sufficient legal talent has been brought to bear on this Bill, expert opinion on the subject has been obtained, and it is open to the Government to receive such advice as is available to-day.

"Mention was made about the poor attendance of patients in the hospitals with regard to venereal disease. I may say this: every hospital is provided with the necessary materials, and the tendency of people to attend venereal clinics is increasing by leaps and bounds. It is only the poor people—I will not say poor people, I will say the middle class—who do not go to hospitals and who fight shy of the medical help offered there.

"With regard to veneral diseases, complete provision has been made to see that the doctor is not allowed to reveal the names of people who consult them and steps are also taken to see that they are not coerced by anybody to reveal them. We have also provided for preventing the spreading of venereal diseases. It is a more dangerous disease to the society than to the individual concerned; for the whole progeny is affected, if it is not arrested in time. In the absence of this provision, you will be simply perpetuating the disease from generation to generation. So, we have taken power to take steps to put such people under treatment. Then again there are cases where people are apparently cured, and if only they are put under treatment for some time more, the diseases can

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be cured completely. To provide for such things, we have taken power under this Bill; the provision is not intended for respectable classes of people who obey all laws; it is more intended for persons who try to evade treatment. This is all the idea underlying this provision. If the Bill is defective in some respects and if it requires amendment, we are willing to take all possible steps to amend it suitably. It is not our intention to expose our people to public ridicule; the idea is to save our people and to give proper treatment as long as infection is liable to be transmitted from one person to another. It may be that in some advanced countries, this extreme provision has not yet been adopted. But if we do so here, in our province, it is only on scientific lines that we proceed. And we have records to show that our move in this direction is quite sound. I do not desire to detain the House any further; and I propose with the assent of the Hon. Leader of the House and other leaders of parties, a revised list of the names of the Members of the Select Committee. The names, as revised, will be as follows:—

1 The Hon. Sri C. Rajagopalachariar.
2 The Hon. Sri B. Gopala Reddi.
3 Dr. P. S. Srinivasa Ayyar
4 Sri R. B. Ramakrishna Raju.
5 Sri A. B. Shetty.
6 Sri T. T. Krishnamachariar.
7 M. Ahmed Badsha Sahib Bahadur.
8 Mr. G. B. Reade.
9 Sir A. T. Pannir Selvam.
10 Sri V. S. Rm. Valliappa Chettiyar.
11 Dr. Muhammad Abdus Salam.
12 Sri A. Pl. N. V. Nadimuthu Pillai.
13 Abdul Hameed Khan Sahib Bahadur.
14 Sri K. Venkatappayya Pantulu.
15 The Hon. the Mover of the Bill (the Hon. Dr. T. S. S. Rajan)."

Mr. SPEAKER:—" I will now put the amendment to the vote of the House. The question is—

' *that the Madras Public Health Bill,* 1938, *be circulated for eliciting public opinion.*' "

The amendment was put and lost.

Mr. SPEAKER:—" I will now put the original motion to the vote of the House. The question is—

' *that the Madras Public Health Bill be referred to a Select Committee consisting of the* 15 *persons named by the Hon. the Mover of the Bill.*' "

The motion was put and carried.

Mr. SPEAKER:—" I appoint the Hon. the Minister for Public Health as the Chairman of the Committee." (Applause.)

The House then adjourned to meet again at 3 p.m. the next day.

VII.—PAPERS LAID ON THE TABLE OF THE HOUSE.

* 1. *Statement showing particulars regarding the representation of Muslims on district boards and municipal councils.*

* 2. *Communication furnishing information regarding the absorption of ex-taluk board servants under local bodies, with reference to the supplementary questions to question No.* 211 *asked at the meeting of the Legislative Assembly held on* 23*rd September* 1937.

† 3. *G.O. No.* 1854, *Development, dated* 30*th July* 1938, *adding a new rule* 14-*B to the rules framed under section* 19 *of the Madras State Aid to Industries Act,* 1922 (*Madras Act V of* 1923).

‡ 4. *G.O. No.* 1475, *Development, dated* 13*th June* 1938, *amending rule* 22 *of the rules framed under section* 19 *of the Madras State Aid to Industries Act,* 1922 (*Madras Act V of* 1923).

§ 5. *G.O. No.* 2070, *Development, dated* 24*th August* 1938, *confirming certain amendments to rules XV and XXII of the rules issued under the Madras Co-operative Societies Act,* 1932 (*Madras Act VI of* 1932).

|| 6. *Supplement to the* Vizagapatam District Gazette *for August* 1938, *containing the scheme report for the settlement of the* 103 *Agency villages of the Palkonda taluk of the Vizagapatam district.*

¶ 7. *G.O. No.* 2259, *Development, dated* 12*th September* 1938, *confirming a draft amendment to rule II of the rules issued under the Madras Co-operative Societies Act,* 1932.

8. *Return of officers who held permanent, temporary, acting or probationary appointments, under the Government of Madras on the* 1*st April of each of the years* 1924 *to* 1938.

9. *G.O. No.* 2315, *Development, dated* 16*th September* 1938, *amending rule* 8 *of the rules issued under section* 19 *of the Madras State Aid to Industries Act,* 1922 (*Madras Act V of* 1923).

10. *Notification appended to G.O. No.* 2288, *Development, dated* 14*th September* 1938, *issuing certain amendments to the Madras Commercial Crops Markets Rules,* 1935.

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* Placed on the table on 19th August 1938.

a Printed as Appendix XVIII on pages 167–168 infra.

† Despatched by post on 10th September 1938.

‡ Do. 26th September 1938.

§ Do. 7th October 1938.

|| Do. 14th October 1938.

¶ Do. 4th November 1938.

APPENDIX I.

[Vide answer to starred question No. 162 asked by Mahboob Ali Baig Sahib Bahadur at the meeting of the Legislative Assembly held on the 28th November 1938, page 28 supra.]

LOCAL ADMINISTRATION DEPARTMENT.
FORT ST. GEORGE,
Dated the 3rd January 1938.

D.O. No. 33223-1-A-1/L.A.

DEAR DIWAN BAHADUR,

[Your demi-official, dated 11th September 1937, regarding the hoisting of flags on the Ripon Buildings.]

G.O. No. 1231, Public (Political), dated the 8th July 1937 (of which I enclose a copy) prescribes the occasions on which the flag (the Union Jack) shall be flown over public buildings; the term " public buildings " has been defined to mean only " buildings belonging to Government used for public purposes." Orders have been issued in G.O. No. 1520, Public (General), dated the 11th August 1937, wherein local bodies (including the Corporation of Madras) were informed that the Government had decided not to prohibit the hoisting or flying of the flag used by the Indian National Congress on buildings belonging to or occupied by local bodies. There is thus no conflict between the orders quoted above.

The Union Jack will be flown over Government buildings on the occasions mentioned in G.O. No. 1231, Public (Political), dated the 8th July 1937; and the Congress flag may be hoisted on the buildings occupied by local bodies on all important occasions either of festivity or on the visit of important persons. The kind of flag to be flown and the occasions on which it should be flown are matters entirely within the discretion of the local bodies concerned. It should, however, be understood that on no occasion should the two flags referred to above be flown over the same building at one and the same time.

Yours sincerely,
L. J. MACIVER.

To M.R.Ry. Diwan Bahadur R. Subbayya Nayudu Garu, Commissioner, Corporation of Madras.

Copy to all Presidents of District Boards.
" Executive Authorities of Municipal Councils.

ENCLOSURE.

G.O. No. 1231, Public (Political), dated 8th July 1937.

In supersession of G.O. No. 287, Public (Political), dated the 8th February 1937, the Government direct that on the following occasions the flag will be flown over public buildings:—

(1) New Year's Day (1st January).

(2) Birthday of Princess Elizabeth (21st April).

(3) Empire Day (24th May).

(4) Birtbday of Her Majesty Queen Mary (26th May).

(5) Birthday of Her Majesty the Queen (4th August).

(6) Armistice Day (11th November).

(7) Anniversary of His Majesty's Accession (11th December).

(8) * His Majesty's Birthday (14th December).

(9) Each day on which an important person, e.g., His Excellency the Viceroy, His Excellency the Governor or Hon. Minister, visits the premises.

(10) Important local festivals.

* Also on any day appointed for the official celebration of His Majesty's Birthday.

(By order of His Excellency the Governor)

C. F. BRACKENBURY,
Chief Secretary.

To Departments of the Secretariat (all sections).
,, all Heads of Departments, including Collectors and District and Sessions Judges.

APPENDIX II.

[Vide answer to starred question No. 176 asked by Sri G. Krishna Rao at the meeting of the Legislative Assembly held on the 28th November 1938, page 40 supra.]

G.O. No. 2881, P.H., dated 12th August 1938.

READ—the following papers:—

G.O. No. 756, P.H., dated 24th February 1938.

From the President of the Salem District Board, dated 6th April 1938, No. 1129-38-A-6.

Order—No. 2881, *P.H., dated 12th August* 1938.

In G.O. No. 2577, P.H., dated 18th December 1936, the Government published certain draft amendments to the rules regarding the appointment and punishment of officers and servants

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of local boards and municipal councils. After the expiry of the time allowed for the submission of suggestions and criticisms, the Government considered all points of view and confirmed the amendments, in G.O. No. 756, P.H., dated 24th February 1938.

2. Only very few municipal councils and district boards submitted criticisms and suggestions. Now after the rules have been confirmed, the President, Salem District Board, protests against the amendments to the rules. The amendment lays down that no person should be appointed to the post of a Woman Medical Officer or Health Visitor or a Midwife for Maternity and Child Welfare work under a local board, except in consultation with the Director of Public Health. The objection of the President is, that by this amendment, the Government are 'mutilating' the executive powers of the District Board President, and they are actuated by a deep feeling of distrust. The Government regret that such a misunderstanding should have resulted from a measure intended to be in the interests of the local bodies themselves.

3. The reasons actuating the Government in passing these amendments are, that Maternity and Child Welfare work in this Presidency being in its infancy, the officers and servants appointed to carry out the work should be capable and conscientious workers, with a record of conduct and service above reproach. The Government are given to understand that in the past local bodies have consulted the Director of Public Health freely and still continue to do so in regard to the appointment of Maternity and Child Welfare staff. In the course of such references many instances of unsatisfactory workers leaving one local body and seeking employment under another, evidently suppressing the facts relating to their past service, have been brought to light. It is to deal with situations like these that the Government prescribed consultation with the Director of Public Health, because as a central authority he would be able to know the merits and demerits of a particular candidate much better than the local officers, the District Health Officers and the Municipal Health Officers, who could not possibly be aware of the antecedents of every candidate, who applies for a post under the local body. The procedure is meant to secure proper candidates and to increase the efficiency of the Maternity and Child Welfare service and not to curtail the executive powers of the District Board Presidents.

(By order of His Excellency the Governor)

C. H. Masterman,
Secretary to Government.

APPENDIX III.

[Vide answer to starred question No. 179 asked by Mr. J. L. P. Roche-Victoria at the meeting of the Legislative Assembly held on the 28th November 1938, page 41 supra.]

The following Press Communiqué is issued:—

PRESS COMMUNIQUÉ, DATED 22ND AUGUST 1938.

The Government have been in touch for some time past with the Boy Scouts Association, Madras, and the Seva Samiti Boy Scouts Association, Madras, with a view to ascertain the progress made in the efforts to effect union between the two associations; they had also a conference with the representatives of the two bodies on the 8th August 1938. It is found that an agreed plan of union is not yet in sight. As the question has naturally been engaging public attention the Government now make the following pronouncement of their policy in the matter:—

> While there is no objection to both associations or either working in any place in the Presidency, the Government consider that they would not be justified in incurring further expenditure on the payment of grants so long as more than one association functions. The Government grant hitherto paid to the Boy Scouts Association has accordingly been stopped. It is open to any school to organize troops affiliated to either association.

APPENDIX IV.

[Vide answer to starred question No. 193 asked by Khan Bahadur P. M. Attakoya Thangal Sahib Bahadur at the meeting of the Legislative Assembly held on the 28th November 1938, page 49 supra].

	RS.	A.	P.
I. Expenditure from Provincial Revenues—			
(1) Pay of Provincial Marketing Officer and the Assistant Marketing Officer for development	9,854	5	0
(2) Pay of establishment	1,846	9	0
(3) Other compensatory allowances—Presidency allowances and Madras house allowance	986	4	0
(4) Travelling allowances	2,911	6	0
Total ..	15,598	8	0
II. Expenditure from the grant of the Imperial Council of Agricultural Research—			
(1) Pay of the Assistant Marketing Officers and special pay to the Provincial Marketing Officer	11,460	7	0
(2) Pay of establishment	2,278	13	0
(3) Other compensatory allowances—Presidency allowances and Madras house allowances	1,253	6	0
(4) Travelling allowances	3,834	12	0
Total ..	18,827	6	0

APPENDIX V.

[Vide answer to unstarred question No. 43 asked by Sriman Y. V. A. Bhaskara Rao Patnaik Mahasayo at the meeting of the Legislative Assembly held on the 28th November 1938, page 58 supra].

Serial number and name of station.	Expenditure in 1936–37.	Cash value of crop yield during 1936–37.
	ROUNDED TO	ROUNDED TO
	RS.	RS.
1 Agricultural Research Station, Anakapalle *	40,752	8,463
2 Do. Samalkota	26,522	5,100
3 Do. Guntur	30,404	6,328
4 Do. Hagari *	44,694	2,702
5 Do. Nandyal	18,930	1,823
6 Do. Palur	11,208	6,786
7 Do. Tindivanam	11,321	2,088
8 Do. Kovilpatti	30,403	4,929
9 Do. Taliparamba	14,664	3,185
10 Do. Nileshwar I (Pillicode). } 11 Do. do. II .. .. } 12 Do. do. III .. .. } 13 Do. Kasaragod .. .. }	18,170	3,575
14 Do. Nanjanad *	29,447	11,000
15 Central Farm, Coimbatore	31,739	21,171
16 Millets Breeding Station, Coimbatore	8,729	2,508
17 Cotton Breeding Station, Coimbatore	8,026	2,959
18 Paddy Breeding Station, Coimbatore	10,259	4,127
19 Do. Maruteru	26,717	3,719
20 Do. Aduthurai	28,512	5,537
21 Do. Pattambi	28,614	4,873
22 Agricultural Research Station, Pattukkottai	7,988	1,943
23 Rice Research Station, Berhampur (since closed) † ..	21,547	..
24 Pomological Station, Coonoor and the Burliar and Kallar Fruit Stations	10,523	3,774
25 Sugarcane Research Station, Gudiyattam †	13,618	4,230
26 Fruit Research Station, Kuduru †	19,415	152

* Stations financed partly by the Imperial Council of Agricultural Research.

† Stations financed entirely by the Imeprial Council of Agricultural Research.

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APPENDIX VI.

[Vide answer to unstarred question No. 69 asked by Sri K. Shanmugam at the meeting of the Legislative Assembly held on the 28th November 1938, page 71 supra.]

Statement showing the facilities provided for Adi-Andhras.

Taluk and village.	Have roads, pathways and footpaths been provided ?	Has any construction or repair of culverts and new bridges been made ?	Has any provision of burial grounds been made ?
(1)	(2)	(3)	(4)
Nellore district—			
Gudur—			
Yerur	..	..	Yes.
Rudravaram	..	..	Do.
Gudur East	..	..	Do.
Kadivedu	..	..	Do.
Vendod	Yes	..	..
Budanam	..	..	Yes.
Muttambaka	Yes	..	..
Rapur—			
Chittalur	..	..	Yes.
Yetur	..	..	Do.
Palur	..	..	Do.
Pulikollu	..	..	Do.
Podalakur	..	..	Do.
Dachur	..	..	Do.
Alturti	..	..	Do.
Kanupurpalli	..	..	Do.
Khambalapalli	..	..	Do.
Kesamanenipalli	Yes	..	Do.
Kanuparti	..	..	Do.
Chipinapi	..	..	Do.
Varileru	..	..	Do.
Nernoor	..	..	Do.
Gulimcherla	..	..	Do.
Talacherla	..	..	Do.
Siddavaram	..	..	Do.
Pallakonda	..	..	Do.
Chinagopavaram	..	..	Do.
Pedagopavaram	..	..	Do.
Nellore—			
Mypad	..	..	Yes.
Kallurpalli	Yes	..	..
Kakupalli	Do.	..	..
Varigonda	Do.	..	..
Allipuram	Do.	..	..
Nedimusili	..	Yes	..
Gangapatnam	Yes	..	..
Indukurpet	..	Yes	..
Kovur—			
Allupad	..	..	Yes.
Singapet	Yes	..	Do.
Maneguntapad	Do.	..	Do.
Annareddipalli	Do.	..	..
Dandigunta	Do.	..	..

Taluk and village. (1)	Have roads, pathways and foot-paths been provided ? (2)	Has any construction or repair of culverts and new bridges been made ? (3)	Has any provision of burial-grounds been made ? (4)
Nellore district—*cont.*			
Atmakur—			
Atmakur	..	..	Yes.
Battipad	..	..	Do.
Kondamidikondur	..	..	Do.
Vasili	..	..	Do.
Chiramana	..	..	Do.
Lakshmaraopalli	..	..	Do.
Kandukur—			
Appalapad	..	..	Yes.
Pydipad	..	..	Do.
Ravur	..	..	Do.
Chevur	..	..	Do.
Senampudi	..	..	Do.
Kondapi	..	..	Do.
Darakanipad	..	..	Do.
Anakarlapudi	..	..	Do.
Jillaikamudi	..	..	Do.
Mopad	..	..	Do.
Kannupalla	Yes.	..	Do.
Karedu	..	..	Do.
Kondikandukur	..	..	Do.
Pandulapad	..	..	Do.
Palitipad	..	..	Do.
Kovur	..	..	Do.
Vogur	..	..	Do.
Konurpad	Yes.	..	Do.
Kavali—			
Manubolupad	..	..	Yes.
Dundigam	..	..	Do.
Chamadala	..	..	Do.
Chinakraka	..	..	Do.
Bellary district—			
Hospet—			
Metri	..	..	Yes.
East Godavari district—			
Amalapur—			
Ainavilli	Yes.	..	..
Ainapuram	Do.	..	..
Kandikuppa	Do.	Yes.	..
Perurulanka Tota	Do.	..	..
Anatavaram	Do.	Yes.	..
Razole—			
Kothapeta	..	Yes.	..
Ramachandrapur—			
Vedurupaka	Yes.	..	..
Pedaparti	Do.	..	..
Ventur	Do.	..	..
Cocanada—			
Coringa	Yes.	..	..
Turangi	Do.	..	..

Taluk and village.	Have roads, pathways and footpaths been provided ?	Has any construction or repair of culverts and new bridges been made ?	Has any provision of burial-grounds been made ?
(1)	(2)	(3)	(4)
Kistna district—			..
Gudivada—			
Perur	..	..	Yes.
Pomarru	..	..	Do.
Imanipudi	..	..	Do.
Gangaramudi	..	..	Do.
Maheswarapuram	..	..	Do.
Ventrapragada	..	..	Do.
Ramanapudi	Yes.	..	..
Bhushathagallu	Do.	..	..
Mothur Malapalli	Do.	..	..
Dokiparru	..	Yes.	..
Kowtaram	..	Do.	..
Kayegudan	..	Do.	..
Aripirala	Yes.	..	..
Chavalapalli	Do.	..	..
Nandivada	..	Yes.	..
Gudavalluru	Yes.	..	..
Pedayarikipadu	..	Yes.	..
Kaikalur—			
Bujabalapatnam	..	..	Yes.
Bandar—			
Pedama	..	..	Yes.
Kalapatan	..	..	Do.
Kanchadam	..	..	Do.
Bezwada—			
Pedapulipaka	..	..	Yes.
Kanur	Yes.	..	..
Poranki	Do.	Yes.	..
Gunadala	Do.	..	..
Gunnavaram—			
Mamkonda	..	..	Yes.
Vuyyuru	..	..	Do.
Tarigoppala	..	..	Do.
Davulur	..	..	Do.
Mukkapodu	..	Yes.	..
Divi—			
Pedasanagallu	..	..	Yes.
Vemulamada	..	..	Do.
Chinamuttevi	Yes.	..	..
Panachivara	Do.	Yes.	..
Salempalem	..	..	..
Pedapalem	Yes.	..	..
Maddavalle	..	..	..
Malapalli	..	..	..
Pedapalem	Yes.	..	..
Vakavalle	..	..	..
Malapalli	..	..	..
Kottapalem	Yes.	..	..
Movva	Do.	..	..
Naragampalem	Do.	..	..
Talagada Divi	Do.	Yes.	..
Pedasanagallu	Do.	..	..
Bhattapemmaru	..	Yes.	..

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Taluk and village.	Have roads, pathways and footpaths been provided ?	Has any construction or repair of culverts and new bridges been made ?	Has any provision of burial-grounds been made ?
(1)	(2)	(3)	(4)
West Godavari district—			
Ellore—			
Vennavallivaripeta	Yes.	Yes.	..
Vatlur	..	..	Yes.
Pedapadu	..	..	Do.
Duggirala	..	..	Do.
Agadallakka	..	..	Do.
Chettunuapadu	..	..	Do.
Vempadu	..	..	Do.
Chintalapudi—			
K. Gokavaram	..	..	Yes.
Kovvur—			
Settipeta	..	..	Yes.
Guntur district—			
Tenali—			
Patareddipalem	Yes.	..	..
Sangamjagarlamudi ..	Do.	..	..
Alapad	Do.	..	..
Gudivada	Do.	..	..
Kolakalur	Do.	..	..
Vetapalem	Do.	..	..
Kopalli	Do.	..	..
Mandur	..	..	Yes.
Buripalem	..	..	Do.
Kuchellapad	..	..	Do.
Repalle—			
Bandlavandlamalapalli (hamlet of Dhulipudi).	Yes.	..	..
Allaparru	Do.	..	..
Chandole	Do.	..	..
Pamidimarru	Do.	..	..
Karumur	Do.	..	..
Guntur—			
Etukur	Yes.	..	..
Kornepadu	Do.	..	..
Budampadu	Do.	..	..
Mangalagiri	Do.	..	..
Karlapalem	Do.	..	..
Nowlur	Do.	..	..
Koritepad	Do.	..	..
Godavarru	..	..	Yes.
Mutlur	..	..	Do.
Visadala	..	..	Do.
Venigandla	..	..	Do.
Narakodur	..	..	Do.

Taluk and village.	Have roads, pathways and footpaths been provided ?	Has any construction or repair of culvets and new bridges been made ?	Has any provision of burial-grounds been made ?
(1)	(2)	(3)	(4)
Guntur district—*cont.*			
Bapatla—			
Gopapuram	Yes.	..	..
Machavaram	Do.	..	..
Bapatla	Do.	..	..
Perali	Do.	..	..
Ganapavaram	Do.	..	Yes.
Perala	Do.	..	..
Ramanappapalem (hamlet of Nandur).	Do.	..	..
Karamchedu	Do.	..	..
Kesavarappad Agraharam ..	Do.	..	..
Brahmanakodur	Do.	..	..
Nutalapad	..	..	Yes.
Garikipad	..	..	Do.
Munipalli	..	..	Do.
Vadlamudi	..	..	Do.
Hanumajipalem (hamlet of Inkollu).	..	..	Do.
Retur	..	..	Do.
Pallapad	..	..	D
Ongole—			
Pedakottpalli	Yes.	..	..
Mattigunta Vemulapad ..	Do.	..	..
Velagapudi	Do.	..	..
Chimakurti	Do.	..	..
Karavadi	Do.	..	..
Survireddipalem	Do.	..	..
Budavada	Do.	..	..
Nelatur	Do.	..	Yes.
Turpu Maidupalem	..	..	Do.
Maddirala	..	..	Do.
Dharmavaram	..	..	Do.
Boddurvanipalem	..	..	Do.
Kotapadu	..	..	Do.
Doddavarappad	..	..	Do.
Santanutalapadu	..	..	Do.
Muppavaram	..	..	Do.
Nidamalur	..	..	Do.
Narasaraopet—			
Velur	..	..	Yes.
Sattenapalle—			
Siripuram	..	..	Yes.
Ponugupad	..	..	Do.
Anantapur district—			
Selukanacheruvu	Yes.	..	..
Reddipalli	Do.	..	..
Matlagondi	Do.	..	..
Kodigipalli	Do.	..	..
Bukkarayasamudram ..	Do.	..	..
Chiyedu	Do.	..	..
Chennampalli	Do.	..	..
Mandalapalli	Do.	..	..
A. Gownivaripalli	Do.	..	..
Chelukur	Do.	..	..

Taluk and village.	Have roads, pathways and footpaths been provided ?	Has any construction of repair of culverts and new bridges been made ?	Has any provision of burial-grounds been made ?
(1)	(2)	(3)	(4)
Anantapur district—*cont.*			
Hindupur	Yes.	..	..
Anantapur	Do.	..	..
Peddamushtoor	Do.	..	..
Bathalapalli	Do.	..	..
Dosaludiki	Do.	..	..
Mallenipalli	Do.	..	..
Yedurur	Do.	..	..
Dharmapuram	Do.	..	..
Pamadurthi	Do.	..	..
Haviligi	Do.	..	..
Tatrakallu	Do.	..	..
Guntakal	Do.	..	..
Ganjikunta	Do.	..	..
Pandikunta	Do.	..	..
Somandapalli	..	..	Yes.
Zulekunta	..	..	Do.
Gudibanda	..	..	Do.
Palharam	..	..	Do.
Gudibanda	..	..	Do.
Arkativemula	Yes.	..	..
Kummanamala	Do.	..	..
Dosaledu	Do.	..	..
Motukepalli	Do.	..	..
Kummanamale	..	..	Yes.
Gowdanahalli	Yes.	..	..

APPENDIX VII.

[Vide answer to unstarred question No. 71 asked by Sri N. M. R. Subbaraman at the meeting of the Legislative Assembly held on the 28th November 1938, page 71 supra.]

Statement.

Crop.	Average annual production in the Anamalai hills in lb.	Value of production in column (2) in rupees.
(1)	(2)	(3)
Tea	12,202,500	61,01,250 *
Coffee	951,000	2,54,732 *
Cordamoms	124,500	1,55,625 *

* The value of tea has been assumed to be 8 annas per lb., that of coffee Rs. 30 per cwt. and that of cordamoms Rs. 1–4–0 per lb.

APPENDIX VIII.

[Vide answer to unstarred question No. 75 asked by Sri V. C. Palaniswami Goundar at the meeting of the Legislative Assembly held on the 28th November 1938, page 74 supra.]

Statement showing the number of cases prosecuted and compounded for quarrying in reserved and unreserved lands in Coimbatore district.

Taluks.	Number of cases compounded and prosecuted for quarrying.											
	In reserved lands.						In unreserved lands.					
	1935–36.		1936–37.		1937–38.		1935–36.		1936–37.		1937–38.	
	Compounded.	Prosecuted.	Compounded.	Prosecuted.	Compounded.	Prosecuted.	Compounded.	Prosecuted.	Compounded.	Prosecuted.	Compounded.	Prosecuted.
Avanashi	..	..	..	..	4*	..	75	..	46	..	257	9
Bhavani	..	..	..	..	1*	..	57	14	2	8	113	9
Coimbatore	..	..	..	..	..	..	7	1	6	2	2	2
Dharapuram	..	..	..	..	..	..	8	..	8	1	24	2
Erode	..	..	..	..	..	..	14	..	7	2	76	2
Gobichettipalayam	..	..	3 *	..	18 *	..	16	1	8	2	21	3
Kollegal	..	..	..	..	..	..	26	6	4	..	1	..
Palladam	..	..	..	..	..	..	16	2	10	1	17	9
Pollachi	..	..	..	..	..	..	17	..	36	..	21	..
Udamalpet	..	..	..	..	..	..	6	..	1	..	10	1
North Coimbatore—Forest Division	1	..	4	..	..	..	..	..	..	..	..	..
South Coimbatore	3	..	..	..	..	..	..	..	..	..	..	..
Kollegal	..	..	..	..	..	..	..	..	..	..	..	..
Palghat	..	..	1	..	..	1	..	..	..	..	..	..
Total ..	4	..	8	..	23	1	242	24	128	16	542	37

* Relates to panchayat forests.

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APPENDIX IX.

[Vide answer to unstarred question No. 78 asked by Sri K. V. R. Swami at the meeting of the Legislative Assembly held on the 28th November 1938, page 76 supra.]

Vizagapatam district—
- Bobbili.
- Chodavaram.
- Chipurupalli.
- Singupuram.
- Kasimkota.

East Godavari district—
- Anaparti.
- Yeleswaram.
- Venkatakrishnarayapuram.
- Nagaram.
- Gokavaram.

West Godavari district—
- Narasapur.
- Tanuku.
- Nidadavole.
- Undi.
- Pentapadu.

Kistna district—
- Pedasanagallu.
- Kolavennu.
- Gannavaram.
- Pedana.
- Gundlavalleru.

Guntur district—
- Tekkellapad.
- Ananthavaram.
- Pedaravur.
- Ammanabrole.
- Repalle.

Nellore district—
- Gudur.
- Kandukur.
- Kavali.
- Atmakur.
- Udayagiri.

Kurnool district—
- Peapalle.
- Dhone.
- Markapur.
- Atmakur.
- Pattikonda.

Cuddapah district—
- Kodur.
- Siddhavattam.
- Badvel.
- Chennur.

Bellary district—
- Alur.
- Yemmiganur.
- Kampli.
- Hadagalli.
- Ujjini.

Anantapur district—
- Gorantla.
- Uravakonda.
- Agali.
- Kadiri.
- Penukonda.

Chittoor district—
- Palmaner.
- Thamballapalle.

Chittoor district—*cont.*
- Kallikiri.
- Chandragiri.

Chingleput district—
- Ponneri.
- Kovvur.
- Ikkadu.
- Ozhalur.
- Acharapakkam.

North Arcot district—
- Ambur.
- Kaveripakkam.
- Ranipet.
- Arni.
- Jalarpet.

South Arcot district—
- Vanur.
- Nellikuppam.
- Kallakurichi.
- Pennadam.
- Mannargudi.

Salem district—
- Taramangalam.
- Krishnagiri.
- Attur.
- Komarapalayam.
- Dharmapuri.
- Namakkal.
- Rasipuram.

Coimbatore district—
- Kunnathur.
- Satyamangalam.
- Perianaikanpalayam.
- Annur.
- Anamalais.

Trichinopoly district—
- Musiri.
- Arasangudi.
- Perambalur.
- Kulittalai.

Tanjore district—
- Kuttalam.
- Tiruvadi.
- Papanasam.
- Nannilam.

Madura district—
- Kiranur.
- Vedasandur.
- Usilampatti.
- Teni.
- Melur.

Ramnad district—
- Kamudi.
- Tiruppattur.
- Elayirampannai.
- Sivaganga.
- Ramnad.

Tinnevelly district—
- Nanguneri.
- Melapalayam.
- Tenkasi.
- Kovilpatti.
- Sankarankoil.

APPENDIX X.

[Vide answer to unstarred question No. 83 asked by Sri K. V. R. Swami at the meeting of the Legislative Assembly held on the 28th November 1938, page 79 supra.]

Statements showing the registered number of cases and the number of treatment centres.

STATEMENT I.

Districts.	List of registered cases of leprosy in the various districts in the Presidency. Registered cases.	Out-patient treatment facilities are available in 451 Medical institutions—A districtwar list of which is given below. Out-patient treatment centres.
1 Vizagapatam	12,097	30
2 East Godavari	8,614	24
3 West Godavari	7,767	14
4 Kistna	2,910	12
5 Guntur	2,648	15
6 Kurnool	1,174	12
7 Anantapur	359	7
8 Bellary	444	5
9 Cuddapah	784	9
10 Nellore	3,816	15
11 Chittoor	8,782	19
12 Madras	7,660	9
13 Chingleput	13,360	22
14 North Arcot	11,257	30
15 South Arcot	41,280	37
16 Salem	22,002	43
17 Trichinopoly	11,987	23
18 Tanjore	9,104	18
19 Madura	15,312	23
20 Ramnad	3,667	17
21 Tinnevelly	4,067	15
22 Coimbatore	3,010	18
23 Malabar	7,652	24
24 South Kanara	1,300	10
Total	201,055	451

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STATEMENT II.

12 In-patient Leper institutions which will accommodate about 2,000 inmates are in the following places.

Name.	Station.	District.
1 Leper Asylum "Philadelphia" ..	Salur	Vizagapatam.
2 Leper Asylum	Vizianagram ..	Do.
3 Leper Mission Asylum	Ramachandrapuram.	East Godavari.
4 Bethesda Leper Hospital	Narsapur ..	West Godavari.
5 The Salvation Army Leper Colony ..	Bapatla ..	Guntur.
6 American Lutheren Church Mission Leper Asylum.	Kodur	Cuddapah.
7 Lady Willingdon Leper Settlement..	Tirumani ..	Chingleput.
8 The Debendranath Mullick Leper Home.	Vadathorasalur ..	South Arcot.
9 Mission Leprosy Hospital	Kumbakonam ..	Tanjore.
10 Dayapuram Hospital and Homes for Lepers.	Manamadura ..	Ramnad.
11 Leper Asylum	Chevayur, Calicut.	Malabar.
12 St. Joseph's Leper Asylum ..	Mangalore, Kankanady.	South Kanara.

APPENDIX XI.

[Vide answer to unstarred question No. 84 asked by Sri K. V. R. Swami at the meeting of the Legislative Assembly held on the 28th November 1938, page 79 supra.]

Name of the institution.	By whom maintained.	The number of beds.	Where the institution is situated.
1 Government Pentland Hospital, Vellore.	Government ..	10	Vellore.
2 Government Headquarters Hospital, Bellary.	Do. ..	8	Bellary.
3 Government Headquarters Hospital, Coimbatore.	Do. ..	12	Coimbatore.
4 Government Headquarters Hospital, Cuddapah.	Do. ..	8	Cuddapah.
5 Government Headquarters Hospital, Cocanada.	Do. ..	2	Cocanada.
6 Government Headquarters Hospital, Guntur.	Do. ..	12	Guntur.
7 Government Headquarters Hospital, Mangalore.	Do. ..	6	Mangalore.
8 Government Headquarters Hospital, Masulipatam.	Do. ..	10	Masulipatam.
9 Government Headquarters Hospital, Kurnool.	Do. ..	6	Kurnool.
10 Government Headquarters Hospital, Madura.	Do. ..	4	Madura.
11 Government Headquarters Hospital, Calicut.	Do. ..	20	Calicut.
12 Government Headquarters Hospital, Tanjore.	Do. ..	12	Tanjore.
13 Government Headquarters Hospital, Palamcottah.	Do. ..	6	Palamcottah.
14 Government Headquarters Hospital, Trichinopoly.	Do. ..	4	Trichinopoly.

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Name of the institution.	By whom maintained.	The number of beds.	Where the institution is situated.
15 Government Rayapuram Hospital, Madras.	Government ..	Cases are kept and treated in the verandas of the wards and medical sheds.	Madras.
16 Government General Hospital, Madras.	Do. ..	21	Do.
17 Government Tuberculosis Hospital, Madras.	Do. ..	80	Do.
18 Tuberculosis Sanitorium, Tambaram.	Do. ..	40	Tambaram.
19 Women and Children Hospital, Calicut.	Do. ..	12	Calicut.
20 King George Hospital, Vizagapatam.	Do. ..	22	Vizagapatam.
21 Union Mission Tuberculosis Sanitorium, Arogyavaram near Madanapalle.	Private management (union mission).	236	Arogyavaram near Madanapalle.
22 Visranthipuram Tuberculosis Sanitorium, Rajahmundry.	Private management.	56	Rajahmundry.

APPENDIX XII.

[Vide answer to unstarred question No. 88 asked by Sri K. V. R. Swami at the meeting of the Legislative Assembly held on the 28th November 1938, page 80 supra.]

Statement showing the area cultivated with oranges during 1936–37.

District.	Area cultivated with oranges of all varieties.	Area cultivated with Batavian.
(1)	(2)	(3)
	ACS.	ACS.
1 Cuddapah	2,850	..
2 East Godavari	1,180	770
3 Guntur	3,090	..
4 Chittoor	500	..
5 Madura	900	..
6 Salem	400	..
7 Kurnool	800	..
8 The Nilgiris	640	..
9 North Arcot	520	..
10 Malabar	640	..
11 Nellore	200	..
12 West Godavari	..	350
13 Other districts	1,730	340
Total ..	13,450	1,460

APPENDIX XIII.

[Vide answer to unstrred question No 89 asked by Sri K. R. Karant at the meeting of the Legislative Assembly held on the 28th November 1938, page 80 supra.]

Statement showing the cost of Stores purchased outside India for the Electricity department during 1935–36, 1936–37 *and* 1937–38.

Year.	Total cost of materials purchased outside India.	Country and amount of purchase in Rs. England.	Germany.	Czecho-slovakia.	Switzer-land.	America. U.S.A.	America. Canada.	Japan.	Belgium.	Holland.	Sweden.	Italy.	Country of origin not known.
	RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS.
1935–36	46,77,000	44,54,000	11,900	..	36,600	74,500	..	2,900	10,000	57,300	26,400	600	2,800
1936–37	39,92,200	31,15,000	1,89,300	1,72,900	41,600	69,700	3,54,400	5,000	41,000	..	3,300	..	..
1937–38	51,22,200	30,62,100	2,83,900	3,49,200	2,39,000	1,51,500	..	37,200	2,42,000	..	..	..	1,57,300

APPENDIX XIV.

[Vide answer to unstarred question No. 92 asked by Sri K. R. Karant at the meeting of the Legislative Assembly held on the 28th November 1938, page 82 supra.]

Accounts, 1936–37—Receipts.

(1)	Land revenue including portion due to irrigation. (2)	Excise. (3)	Stamps. (4)	Registration. (5)	Miscellaneous departments including receipts from Motor Vehicles Acts. (6)	Total of columns (2) to (6). (7)
	LAKHS. RS	LAKHS. RS.	LAKHS. RS.	LAKHS. RS.	LAKHS. RS.	LAKHS. RS.
Vizagapatam	27·00	21·63	8·72	1·18	1·75	60 28
Godavari, East ..	49·21	21·83	8·77	1·28	1·62	82·71
Godavari, West ..	39·56	13·47	7·03	1·13	1·30	62·49
Kistna	33·29	16·89	7·74	1·24	2·02	66·18
Guntur	51·60	10·23	9·97	1·04	1 09	75·43
Nellore	26·51	5·57	4·36	·57	1·25	38·26
Cuddapah	16·17	6·46	2·29	·37	·70	25·99
Anantapur	13·96	11·41	2·55	·36	·72	29·00
Bellary	16·44	12·82	3·06	·48	1·07	33·87
Kurnool	19·46	14·24	3·60	·58	·91	38·79
Madras	3·20	33 21	22·16	1·10	10·77	70·44
Chingleput	20·86	18 38	5·02	1·05	·85	46·16
Chittoor	11·28	8·32	3·35	·53	1·01	24·49
North Arcot	29·77	18·10	7·67	1·34	1·70	58·58
South Arcot	49·48	19·78	8·09	1·51	1·29	80·15
Tanjore	74·35	27 08	11·72	1·96	2·63	1,17·74
Trichinopoly	30·32	16·69	8·86	1·60	2·22	59·69
Madura	30·01	12·80	10·72	1·65	3·23	58·41
Ramnad	13·96	8·68	8·65	1·37	1·96	34·02
Tinnevelly	26·80	12·10	9·60	2·13	2·36	52·99
Coimbatore	31·78	28·59	12·91	2·10	4·11	79·49
The Nilgiris	1·06	5·50	1·23	·12	2·02	10·53
Salem	27·14	26·52	7·34	1·55	2·30	64·85
South Kanara	24·70	10·35	6·01	·88	2·14	44·08
Malabar	40·57	12·21	15·33	2·92	3·23	74·26
Adjustments ..	·22	2·72	— 1·67	·05	·79	2·11
Total ..	7,14·30	3,95·58	1,05·08	30·69	55·94	13,91·59

Accounts, 1936–37—Expenditure.

(1)	Registration. (8)	Education. (9)	Medical. (10)	Public Health. (11)	Agriculture, Veterinary and Co-operative Credit. (12)	Industries. (13)	Compensation to local bodies for loss of income from tolls and taxation of motor vehicles. (14)	Grants for the construction and maintenance of roads, bridges, village communications, etc. (15)	Total of columns (8) to (15). (16)
	LAKHS. RS.	LAKHS. RS.	LAKHS. RS.	LAKHS. RS.	LAKHS. RS.	LAKHS. RS.	LAKHS. RS.	LAKHS. RS.	LAKHS. RS.
Vizagapatam	·98	14,37	6·72	·84	2·11	·47	2 05	5·90	33·44
Godavari, East	·89	13·55	2·15	·64	1·76	·25	1·69	2·21	23·14
Godavari, West	·85	6·44	·82	·49	·85	·01	1·01	1·79	12·26
Kistna	·73	8·96	1·56	·85	1·07	·41	1·35	3·45	18·38
Guntur	1·02	12·15	1·81	·43	1 48	·02	1·43	2·34	20·68
Nellore	·59	6·37	1·19	·40	·93	·25	·50	2·16	12·39
Cuddapah	·35	4·58	·99	·28	·72	·12	·73	1·54	9·31
Anantapur	·36	5·61	·84	·34	·72	01	·54	2·20	10·62
Bellary	·48	4·77	1·25	·65	1·38	·28	·58	2·36	11·75
Kurnool	·55	5·70	1·01	·29	·91	·08	·93	3·00	12·47
Madras	1·67	31·01	32·84	7·70	6·41	5 14	1·94	04	86·75
Chingleput	·72	10·06	2·57	2·86	1·04	·19	1·48	2·19	22·01
Chittoor	·64	5·81	1·13	·44	·65	·06	·58	1·89	11·20
North Arcot	1·37	9·37	1·42	·47	1·32	·26	1·90	3·63	19·74
South Arcot	1·69	10·52	1·39	·47	1·46	·26	1·41	1·84	19·04
Tanjore	2·04	11·58	3·84	·71	1·86	·60	2·78	2·28	25·69
Trichinopoly	1·33	8·48	1·37	·72	1·16	·30	1·42	2·70	17·48
Madura	1·49	8·80	2·77	·58	1·45	·35	3·75	4·03	28·22
Ramnad	1·48	6·79	1·52	·44	·51	·08	2·66	2·34	15·72
Tinnevelly	2·07	11·70	1·78	·39	1·29	1·44	1·97	1·93	22·57
Coimbatore	1·57	9·66	2·69	·81	7·36	·82	4·14	3·41	30·46
The Nilgiris	0·09	2·41	2·20	·62	·91	·17	1·07	1·66	9·14
Salem	1·31	6·74	1·60	·69	1·81	·11	2·10	1·81	16·17
South Kanara	·86	9·79	1·74	·25	·93	·51	·55	2·84	17·47
Malabar	3·74	28·70	4·57	·66	1·73	2·15	1·75	4·85	48·15
Adjustments	·05	1·51	11·19	1·34	·70	8·53	·04	— ·07	23·29
Total	28·92	2,56·33	92·96	24·37	42·52	22·87	40·25	64·32	5,72·54

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APPENDIX XV.

[Vide answer to unstarred question No. 93 asked by Sri K. R. Karant at the meeting of the Legislative Assembly held on the 28th November 1938, page 83 supra.]

Statement showing the main points contained in Sri Karant's memorandum on the Buckingham Canal and the action taken by Government.

Points contained in the memorandum. (1)	Action taken by Government. (2)
1 Keeping open the sea bars and the construction of a sand bag lock at Pulicat bar.	The suggestion to keep open the bar has been adopted as an experimental measure. A sand bag lock is being constructed every year as a temporary expedient and the question of constructing a masonry lock will be considered in connexion with the Budget of 1939-40.
2 Maintenance of the locks in order.	Steps have been taken by the Chief Engineer (Irrigation) to repair or renew the locks wherever necessary and also for the closing of breaches.
3 Prompt closing of the breaches.	
4 Proper silt clearance ..	All possible steps are being taken to maintain a navigable depth in the canal. The question of adoption of suitable measures to popularise canal transport with a view to further improvement of canal traffic and also the feasibility of dredging the canal by means of a steam or other mechanical dredger are also engaging the attention of Government.
5 Opening of a register of complaints at Basin Bridge and Barbers Bridge wharfs.	The Chief Engineer has been asked to issue necessary instructions for the opening of registers of complaints.
6 Insanitary condition of the Basin Bridge wharf.	The Chief Engineer has been asked to submit a report in the matter and it is awaited.
7 Provision of water tap, lighting, etc., at Basin Bridge wharf.	Orders have been issued allowing the existing tap at the place to be used by men having bonafide business at the Basin bridge wharf.
8 Insanitary condition of the canal within the limits of the city and encroachments on canal bunds.	The question is under consideration.
9 Construction of a lock at Alambarai.	A report has been called for from the Chief Engineer (Irrigation) and it is awaited.
10 Employment of additional staff in Public Works department offices for the speedy preparation of plans and estimates.	The Chief Engineer will take action in the matter as and when necessary.
11 Reduction of licence fees and insufficient headway of the railway bridge at Elephant Gate.	The Government do not propose to take any action in the matter.
12 Alleged practice of giving particulars of traffic in the canal to railway traffic canvassers.	The Chief Engineer has been asked to report on the point and his report is awaited.
13 Payment of licence fees in instalments.	Orders have been issued permitting the payment of licence fees in three equal instalments at intervals of a month.
14 Prevention of corruption among Public Works department subordinates.	The Chief Engineer has been asked to take necessary preventive action in the matter.
15 Illegal payment of money for the free occupation of canal berms.	
16 Appointment of an advisory committee.	The Government do not consider it necessary to appoint an advisory committee.

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APPENDIX XVI.

[*Vide* answer to unstarred question No. 94 asked by Sri V. S. R.M Valliappa Chettiyar at the meeting of the Legislative Assembly held on the 28th November 1938, page 83 supra.]

Statement showing the number of clerks promoted as Sub-Registrars during the last five years district-war.

District.	Number.	District.	Number.
North Arcot	2	North Malabar	1
Bellary-Anantapur	1	South Malabar	4
Chittoor-Cuddapah	1	Negapatam (old)	1
Coimbatore	1	Nellore	1
East Godavari	2	Palamcottah	3
West Godavari	2	Salem	1
Guntur	2	Tanjore	2
South Kanara	5	Trichinopoly	3
Kurnool	1		
Madras-Chingleput	1	Total ..	39
Madura	5		

APPENDIX XVII.

[*Vide* answer to unstarred question No. 107 asked by Khan Bahadur Mahamud Schamnad Sahib Bahadur at the meeting of the Legislative Assembly held on the 28th November 1938, page 89 supra.]

G.O. Ms. No. 1851, Education, dated 4th August 1938.

In continuation of G.O. No. 1394, Education, dated the 17th June 1938, the Director of Public Instruction is informed that where Hindustani teachers with the full qualifications as laid down in the Government Order are not available, persons trained by the Dakshina Bharat Hindi Prachar Sabha may be employed provided that they have a knowledge of the local language and their Hindustani qualification is of one or other of the standards mentioned in paragraph 2 (*a*) (iv) of the Government Order. Where persons so qualified are not available, persons who have at least the Hindustani qualification referred to above may be entertained as a temporary arrangement.

2. Cases have been brought to notice of Hindustani teachers *already* employed in schools, either for teaching of Hindustani as part of the middle school course or as an optional subject, who have not the qualifications prescribed in the Government Order in question. These teachers may be retained provided that their qualifications at least in Hindustani are of the standard prescribed in paragraph 2 (*a*) (iv) of the Government Order.

(By order of His Excellency the Governor)

C. H. MASTERMAN,
Secretary to Government.

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APPENDIX XVIII.

[*Vide* item VII (2) on page 146.]

LOCAL ADMINISTRATION DEPARTMENT.

U.O. NOTE No. 8288-1-A-1, L.A., DATED 30TH JULY 1938.

[SUBJECT.—*Communication to the Assembly.*]

With reference to the answer given to question No. 211, at the meeting of the Legislative Assembly held on the 23rd September 1937, the Hon'ble the Minister for Local Administration was asked by means of supplementary questions whether information will be called for in regard to—

(i) the absorption of ex-taluk board servants under local bodies, and

(ii) the appointment under the Erode District Board of raw hands in preference to ex-taluk board servants. The Hon'ble the Minister stated that reports on these points would be called for.

2. The appended statement which is a summary of the reports received on the first point is laid on the table. With regard to the other point, it was ascertained from the Inspector of Municipal Councils and Local Boards that ex-taluk board servants have been provided for in preference to outsiders.

L. J. MACIVER,
Secretary to Government.

APPENDIX.

District board.	Statement of affairs as on	Total number of ex-taluk board servants in waiting list.	Number absorbed in permanent vacancies under district board, panchayat or municipal council.	Number employed in temporary or officiating vacancies.	Number employed elsewhere	Number remaining to be absorbed.
Anantapur ..	.. 4th January 1938 ..	6	5	..	1	Nil.
Vellore ..	.. 13th January 1938 ..	9	5	1	..	3 (one died)
Tiruvannamalai	.. 22nd December 1937 ..	11	6	4	..	1
Cuddalore ..	.. 5th January 1938 ..	20	19	1	..	Nil.
Villupuram ..	.. 27th December 1937 ..	3	1	2	..	Nil.
Bellary ..	.. 23rd December 1937 ..	6	5	..	..	Nil.
Chingleput ..	.. Do. ..	4	..	1	..	4
Chittoor ..	.. 4th January 1938 ..	8	6	1	..	1
Coimbatore .. Erode ..	.. } 23rd December 1937 ..	22	16	5	..	1 (whereabouts not known).
Cuddapah ..	.. 22nd December 1937 ..	9	8	1	..	Nil.

District board.	Statement of affairs as on	Total number of ex-taluk board servants in waiting list.	Number absorbed in permanent vacancies under district board, panchayat or municipal council.	Number employed in temporary or officiating vacancies.	Number employed elsewhere.	Number remaining to be absorbed.
Cocanada	8th January 1938	28	23	5	..	Nil.
Rajahmundry	29th January 1938	11	3	5	1	2
Ellore	31st December 1937	18	13	5	..	Nil.
Narsapur	26th December 1937	15	4	10	..	1
Guntur	5th January 1938	16	15	..	..	1 (refused appointment)
Ongole	16th February 1938	13	7	6	..	Nil.
South Kanara	24th December 1937	11	10	..	..	1 (removed from waiting list)
Kistna	8th January 1938	12	..	10	1	1 (since removed from waiting list)
Bezwada	25th December 1937	10	..	9	..	1
Kurnool	29th December 1937	8	7	..	..	1 (removed from waiting list)
Madura	22nd December 1937	30	19	8	..	3 (one died and two declined appointment)
Malabar	24th December 1937	27	16	11	..	Nil.
North Nellore	15th January 1938	15	6	8	..	1
South Nellore	Do.	12	1	7	4	Nil.
The Nilgiris	....	..	..	..	..	..
North Ramnad	26th December 1937	10	4	6	..	Nil.
South Ramnad	25th December 1937	9	1	8	..	Nil.
Salem	6th January 1938	12	8	4	..	Nil.
Dharmapuri	Do.	7	4	3	..	Nil.
West Tanjore	23rd January 1938	20	12	6	1	1 (died)
East Tanjore	24th December 1937	18	16	2	..	Nil.
North Tinnevelly	28th January 1938	15	8	..	1	6
South Tinnevelly	11th May 1938	7	6	1	..	Nil.
Trichinopoly	1st December 1937	22	8	12	..	2 (died)
Chicacole	25th December 1937	13	9	4	..	Nil.
Bobbili	27th January 1938	7	7	..	..	Nil.
Vizagapatam	14th March 1938	8	7	1	..	Nil.

THE MADRAS LEGISLATIVE ASSEMBLY.

Tuesday, the 29th November 1938.

The House met in the Assembly Building, Chepauk, at three of the clock, Mr. Speaker (THE HON. SRI B. SAMBAMURTI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Measures to put down corruption in the public services.

* 206 *Q.*—SRI K. R. KARANT: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether the Government have taken any steps to deal with corruption in the public services; and

(*b*) if so, what they are?

THE HON. SRI C. RAJAGOPALACHARIAR:—" (*a*) & (*b*) The Government Orders are that any complaint made against an officer in writing by five respectable persons otherwise than in regard to a case in which they are personally interested should be investigated by the competent authority and that if the findings are against the official concerned disciplinary action should be taken and the result of the action taken should be reported to the complainants.

" The Government have also laid down that no officer who has got a bad reputation and abundant suspicion against him has any right to be kept in service and that action should be taken against an officer who is suspected in a number of instances or who is generally believed to be corrupt, even though guilt cannot be established against him by proof as in a criminal case.

" The hon. Member knows as well as the Government the difficulty in obtaining reliable proof even to satisfy a very moderate standard prescribed for departmental enquiries. Assuming that there is a certain amount of corruption in the services, the Government do not desire to commit the obvious error of distrusting their officers without adequate proof or of allowing them to live in a continual dread of being easily victimised by disappointed parties who may not scruple to make false allegations.

" The Government are making every endeavour to obtain tho right type of men for the public service who are not likely to yield to the temptations of interested parties."

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SRI K. R. KARANT:—" May I ask, Sir, whether these orders have been made known to the public till now? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" The first order that I referred to is known to the public. The second part of my answer, viz., that the Government servants cannot claim the same amount of proof as in a criminal case need not be known to the public, because that would mean that evidence would be forthcoming of that kind, of the particular kind wanted. But it is communicated to the enquiry officers. That part need not be known to the public, but certainly it will be known now."

SRI K. R. KARANT:—" May I know whether the Government will think of appointing a special officer whose sole business will be to put down corruption? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" No, Sir."

SRI V. M. RAMASWAMI MUDALIYAR:—" How many cases have been reported to the Government taking advantage of the first part referred to by the Hon. the Prime Minister? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" Notice, Sir."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" May I know, Sir, whether recently there were any cases of officers who were punished for a charge of corruption and were subsequently taken back into service again? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" Yes."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" May I know, Sir, what the charges against them were and what exactly is the reason for taking them back? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" Answering a supplementary qnestion of that kind I can say there were good reasons for the action taken. But if a definite question is put the answer can be more definite."

SRI G. KRISHNA RAO:—" May I know, Sir, if any such order has been passed with regard to any officer in the Chingleput district? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" Is the question with reference to officers in general or with reference to officers in the Chingleput district? "

SRI G. KRISHNA RAO:—" It was suggested that specific cases must be mentioned and I wish to know if any such thing has been done in the Chingleput district with regard to a tahsildar? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" I apologize, I have not been able to follow the particular question."

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SRI G. KRISHNA RAO:—"I wanted to ask, Sir, if after a charge of corruption was made and after further going into the case the man was reinstated in the office for some consideration again and that was in the Chingleput district?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"If the word 'consideration' is understood in the proper legal sense, the answer is 'none.' If the consideration is verbal and proper and rightful consideration, then it is quite probable. It is not possible to say unless details are given."

SRI V. M. RAMASWAMI MUDALIYAR:—"In United Provinces a committee has been appointed to enquire into cases of corruption and if so, may I know if the Madras Government has any idea of initiating a similar proposal?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"I have been watching, Sir, the scheme that was referred to as having been taken up by United Provinces. In that province the net result of that is the same as I have described."

SRI B. ANANTHACHAR:—"May I know whether there has been an increase or decrease in the corruption cases since this Government came into office?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"I may be able to give some kind of guess answer if the departments are separated."

Alleged circular for the enforcement of the Criminal Law Amendment Act against the participators in the anti-Hindi movement on 1st July.

* 207 *Q.*—S. M. LALJAN SAHIB BAHADUR: Will the Hon. the Prime Minister be pleased to state whether it is a fact that he issued instructions to all District Superintendents of Police that the Criminal Law Amendment Act should be strictly enforced on the 1st July, the anti-Hindi day?

THE HON. SRI C. RAJAGOPALACHARIAR:—"No such instructions have been issued."

SRI G. KRISHNA RAO:—"Is the Prime Minister aware that the need is more felt for such a legislation and should be expedited?"

MR. SPEAKER:—"What legislation?"

SRI G. KRISHNA RAO:—"Is it not Q. No. 210, Sir?"

MR. SPEAKER:—"Q. No. 207."

SRI G. KRISHNA RAO:—"Excuse me, I am sorry."

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Employment of peons, process-servers and other menials on domestic and personal duties.

* 208 *Q.*—SRI K. R. KARANT: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether it is a fact that a practice has been largely prevalent amongst superior Government officials of making peons, process-servers or other menials of the office establishments do for them also domestic and personal service; and

(*b*) if so, what steps Government have taken or propose to take to put a stop to such a practice?

THE HON. SRI C. RAJAGOPALACHARIAR:—" (*a*) The Government do not believe that the abuse prevails as described.

" (*b*) The Government do not deem it necessary to take any special steps as the old practice in this regard is rapidly dying out; but if specific complaints are received by the Government suitable action will be taken in regard to them."

SRI K. R. KARANT:—" Has this Government made any examination of this question whether such a practice prevails or not? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" Such examination as is possible in the nature of the things referred to has been made."

SRI K. V. R. SWAMI:—" May I know, Sir, if the process-servers convened a conference and sent a resolution to the effect that the process-servers are being used for private purposes by officers? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" A person who has a grievance . . . "

SRI K. V. R. SWAMI:—" I am not speaking of a particular person. It is a conference of process-servers that passed the resolution and sent it to Government. For that very purpose they were punished; for having sent such resolutions to the Government."

MR. SPEAKER:—" Will the hon. Member frame the question? "

SRI K. V. R. SWAMI:—" May I know, Sir, whether it is a fact that these process-servers sent a resolution to the Government complaining that their services have been continuously used for private purposes by the officers? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" It is possible; but I wish the hon. Member to remember that I have said already that the old practice in this regard is

rapidly dying out. But if specific complaints are received by Government, suitable action will be taken against them. A general conference or a resolution cannot lead anywhere."

SRI K. V. R. SWAMI:—" The resolution submitted a specific request to do justice? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" I am not aware of it."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—" If process-servers are requested to sleep in the residence of judicial officers or to pull the punka in the residence of judicial officers, will it be official service or domestic and personal service? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" That depends upon the duty to which they are officially allotted."

AN HON. MEMBER:—" May I know whether a criminal charge has been made against the District Munsif of Cuddapah? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" It is not fair to refer to any particular officer merely on a charge in the proceedings in this House."

SRI K. V. R. SWAMI:—" Will the Government make it a clear rule that they should not use their services for private purposes? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" It is not the ignorance of the rule but the prevalence of a practice."

Military training for college students and adult civilians.

* 209 *Q.*—SRI V. M. RAMASWAMI MUDALIYAR: Will the Hon. the Prime Minister be pleased to state—

(*a*) what action has been taken on the resolution discussed in the Legislative Assembly on 29th September 1937 regarding the establishment of a national guard for the Province;

(*b*) whether the Government have been approached with any requests from any person or bodies for the provision of facilities to train themselves in rifle-shooting and drill;

(*c*) whether the Government have got any scheme for providing military training for college students and adult civilians; and

(*d*) whether it is a fact that the Hon. the Prime Minister tried a gasmask and whether he has considered the necessity to give training in such precautions to all civilians?

THE HON. SRI C. RAJAGOPALACHARIAR:—" (*a*) The question of increasing the facilities for the people of this Province to acquire a military training is engaging the attention of the Government.

(*b*) The answer is in the affirmative.

(c) Military training for college students is available through the University Training Corps. Training for adults can be obtained in the Indian Territorial Force. The question of increasing these opportunities is under the consideration of the Government.

(d) The Prime Minister did once try a gas mask and learnt the principles of the mask and how to use it. But this has led to no particular views on the question of giving training to all civilians in the Province on the use of such masks."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I ask, Sir, what exactly are the details of the proposal of the Government who are contemplating to appoint a committee to go into the question of air raid precautions?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"I do not think, Sir, it arises on this question at all."

SRI V. M. RAMASWAMI MUDALIYAR:—"I thought, Sir, that the A.R.D. precautions also form part of military training?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"The precautionary committee may not be taking up military training."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I know, Sir, if the Hon. Premier is aware that only a handful of young men can get training in the two courses that he named, viz., University Training Corps and the Territorial Force and in view of that whether it is not necessary that better facilities and larger facilities are afforded in this Province for military training?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"I am quite aware of the inadequacy of the facilities. But any extension means mincing many elements including elements of finance."

AN HON. MEMBER:—"With reference to the answer to clause (a), may I ask whether any further communication has been received from the Government of India?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"I do not know what exactly the hon. Member means by 'any further communication'; but we have been receiving some communications and sending back some more communications."

SRI D. RAMALINGA REDDIYAR:—"May I ask, Sir, whether the Government would afford facilities for horse-riding to such of those persons as desire to have horse-riding with the help of the horses in the Government stables?" (Laughter.)

THE HON. SRI C. RAJAGOPALACHARIAR:—"I am not aware, Sir, of any Government stables." (Renewed laughter.)

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Introduction of a Bill regarding the privileges of the Members of the Legislature.

* 210 *Q.*—SRI V. S. R. M. VALLIAPPA CHETTIYAR: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether a Bill defining the privileges of the Members of the Madras Legislature has been prepared; and

(*b*) if so, when the Bill will be introduced in the Legislature?

THE HON. SRI C. RAJAGOPALACHARIAR:—"(*a*) No.

"(*b*) Does not arise."

Appointment of Muhammadans as Deputy Tahsildars against Muhammadan vacancies in the districts of South Kanara and Malabar.

* 211 *Q.*—KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) how many turns of Muhammadans have been overlooked for appointment as Deputy Tahsildars for want of qualified hands in the South Kanara and Malabar districts, respectively, during the last five years; and

(*b*) whether the same number of vacancies as were passed over during the last five years have been given to members of the Muslim community when vacancies arose later on; if not, whether they will be given?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—"(*a*) & (*b*) One turn in South Kanara and two turns in Malabar, of the Muhammadan community have been passed over for want of qualified candidates. Under the rules, a community whose turn has been passed over, shall have a preferential claim for consideration when any subsequent appointment is to be made until a candidate belonging to that community has been appointed against that claim. If qualified candidates of the Muhammadan community become available, they will be appointed in future vacancies against the three turns which have been passed over."

Reasons for refraining from levying the maximum rate of totalizator tax under the Madras Gaming Act.

* 212 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Revenue be pleased to state the reasons for not levying the maximum rate of totalizator tax that can be levied under the Madras Betting Tax Act, Act XX of 1935?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—"Subsequent to the

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levy of a tax at $1\frac{1}{4}$ per cent there was a fall in successive years in the total amount of money passing through the tote and in the total of the bets paid by book-makers. It was apprehended that a material increase in the rate of tax would so reduce the volume of betting as to result in a loss of revenue. The Government were therefore of opinion that conditions in Madras did not warrant the levy of the tax at a rate higher than $2\frac{1}{2}$ per cent and that a larger tax might result in an increase of betting off the course."

Remission of land revenue for the current fasli in Wandiwash and Cheyyar taluks in the North Arcot district.

* 213 *Q.*—SRI D. RAMALINGA REDDIYAR: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether the Government propose to grant remissions in land revenue in the ryotwari areas in the Presidency for the current fasli as in the previous one; and

(*b*) if so, whether the Government will consider the desirability of remitting the enhancements of revenue on the basis of the reclassification of irrigation sources at the 1913–15 resettlement in Wandiwash and Cheyyar taluks, North Arcot district?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—" (*a*) The question is engaging the attention of the Government.

" (*b*) The land revenue concessions that are being granted from year to year are only temporary reductions in the basic assessment in view of the fall in prices. The reclassification of sources was made not on the ground of prices but according to the relative merits of the sources for irrigation purposes. There is no justification for remitting, on the ground that prices have fallen, enhancements due to considerations other than prices."

SRI D. RAMALINGA REDDIYAR:—" May I ask, Sir, whether, at the time of reclassifying the irrigation sources, anything has been done to improve the supply sources or the storage capacity of the irrigation sources? "

SRI T. VISWANATHAM:—" It is only after improvements have been effected to the supply sources that reclassification takes place."

SRI V. VENKATASUBBAYYA:—" Are the Government considering the question of reduction of taxes? It was announced by the Hon. the Finance Minister in his last budget speech that remission will be granted this year also? "

SRI T. VISWANATHAM:—" Will the hon. Member please repeat the question? "

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SRI V. VENKATASUBBAYYA:—"Will the Government be pleased to consider the question of reduction of land taxes in preference to the grant of remission each year?"

SRI T. VISWANATHAM:—"I have just answered that that question is engaging the attention of the Government."

Preparation of field sketches in blue prints and fixing their price at one anna per sketch.

* 214 *Q.*—SRI G. KRISHNA RAO: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether it is a fact that in the settlement of 1893, field sketches were prepared in blue print and sold to the ryots at one anna per sketch;

(*b*) whether it is a fact that it is now printed on flimsy white paper and sold at 6 annas per sketch to the ryot for each survey number; and

(*c*) whether the Government will consider the desirability of reducing the prices of these sketches to one anna as before and of preparing them in blue prints?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—"(*a*) Prior to 1917, printed copies of field maps were priced at one anna per copy.

"(*b*) At present a fee of 6 annas is charged for each copy applied for. The copy is not printed but made by manuscript. Bank post paper should, according to the rules, be used for preparing copies of field maps.

"(*c*) The practice of preparing field maps in blue prints has been discontinued for many years as the prints were unsatisfactory and unsuitable for use as village records. Government do not propose to revert to the old system. A sufficient number of field maps for official use are now prepared by hand and copies for sale to the public are taken in manuscript as and when applied for. In view of the cost of preparing these copies by hand Government are unable to reduce the price now fixed."

Details regarding village munsifs suspended in Atmakur taluk, Nellore district, for delay in the collection of kists for fasli 1347.

* 215 *Q.*—SRI V. VENKATASUBBAYYA: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) the number of coercive processes taken to collect kist this year, i.e., in fasli 1347, in Atmakur taluk of Nellore district;

(*b*) how many village munsifs have been suspended for delay in collecting the kist in Atmakur taluk in the same fasli; and

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(c) what the delay is in the case of each of the village munsifs so suspended?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam :—" (a) *to* (c) The Government have no information but have called for a report."

Estimates for reconstructing the outfall sluices in East Godavari under the Torrigedda scheme.

* 216 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the estimate for the Torrigedda scheme for reconstructing the outfall sluices in East Godavari has received the approval of the Government; and

(b) whether the same will be included in the budget for the next year?

THE HON. MR. YAKUB HASAN :—" (a) & (b) The estimate for the scheme has been received and it will be considered as a Part II scheme for 1939–40."

Proposals for reduction of meter rent charged on consumers of electricity.

* 217 *Q.*—SRI K. R. KARANT: Will the Hon. the Minister for Public Works be pleased to state—

(a) what the cost is of ordinary meters supplied by electric licensees or by Government to domestic consumers in the various parts of the country;

(b) whether it is a fact that a meter rent of 8 annas is charged per month in respect of such meters; and

(c) whether Government propose to take any and what steps in the near future to have this rent reduced?

THE HON. MR. YAKUB HASAN :—" (a) The cost of ordinary meters installed for domestic consumers ranges from Rs. 10–8–0 to Rs. 15–5–0 in areas supplied with alternating current. In a few areas where direct current is supplied the cost of the meter ranges from Rs. 35 to Rs. 40.

" (b) The rate varies in different places. Some licensees charge 8 annas.

" (c) In the case of licences to be issued in future, Government will not give their approval to a rent of more than 4 annas per meter for domestic consumers. As regards the existing licences, Government propose to draw the attention of the licensees to the desirability of reducing the meter rent if the existing rate in the case of any licensee is more than 4 annas."

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Proposals for reduction of the rate charged on consumers of electricity in the City of Madras and outside.

* 218 *Q.*—SRI K. R. KARANT: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether Government have considered the question of reducing electricity rates in Madras City; if not, why not; and

(*b*) whether Government propose to take any steps to institute a general enquiry regarding the reasonableness or otherwise of the rates of electricity charged by licensees to consumers in different parts of the Province?

THE HON. MR. YAKUB HASAN:—" (*a*) The question is under consideration.

" (*b*) The answer is in the negative."

Purchase of steel poles from abroad for laying transmission lines.

* 219 *Q.*—SRI K. R. KARANT: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether in connexion with the construction of transmission lines since this Ministry took office orders have been placed abroad for steel poles; if so, of what value;

(*b*) whether the same policy is going to be followed in the future also; and

(*c*) why timber poles were not used?

THE HON. MR. YAKUB HASAN:—" (*a*) The answer is in the affirmative. Orders have been placed abroad for steel poles to the value of about Rs. 8·4 lakhs.

" (*b*) & (*c*) Wood poles were tried during the past four years but with poor success. With the experience gained and also the putting up of a plant in the Electricity department for chemical treatment of wood poles, a more extensive use of wood poles for electric transmission lines is now arranged for."

SRI V. M. RAMASWAMI MUDALIYAR: " May I ask whether the Government are aware that wooden poles have been tried with great success by the sister Governments of Mysore and Travancore ? "

THE HON. MR. YAKUB HASAN:—" The Government are aware of it; arrangements are being made to use timber poles more extensively in future."

AN HON. MEMBER:—" Is it not a fact that the Forest department of the Government of Madras will not be able to supply sufficient timber for the use of the Electricity department ? "

THE HON. MR. YAKUB HASAN:—" There is no reason to suspect that the Forest department will not be able to supply the required number of poles."

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Development of irrigation on a planned basis.

* 220 *Q.*—Sri K. R. KARANT: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether Government have taken any and what steps till now for the development of irrigation in the Province on a planned basis; if not, why not; and

(*b*) whether any and what steps have been taken for initiating schemes of irrigation in South Kanara, big or small?

The Hon. Mr. YAKUB HASAN:—" (*a*) The development of irrigation in this Presidency is watched by the Irrigation Development Board which was specially constituted for the purpose in 1930. The Board consists of two members of the Board of Revenue (in charge of Land Revenue and Settlement) the senior of whom is the Chairman and President, the Chief Engineer (Irrigation) and the Director of Agriculture. The Board can summon any other head of the department during the consideration of a particular subject if such a step is necessary. It meets once a quarter. All irrigation proposals and projects are examined and reported upon by the Irrigation Development Board before they are submitted to the Government for their consideration and orders.

" (*b*) The Government have under consideration the question of the feasibility of undertaking irrigation works in the district similar to those in the Cochin and the Travancore States."

Number of Andhra and Muslim girls, admitted into Queen Mary's College, Madras.

* 221 *Q.*—MAHBOOB ALI BAIG SAHIB Bahadur: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) the number of Andhra girl-students who applied for admission into Queen Mary's College, Madras, and the number of students admitted this year; and

(*b*) the number of Muslim girls who applied for admission in the said college and the number admitted into it this year?

The Hon. Dr. P. SUBBARAYAN:—" (*a*) The total number of Andhra girls who applied for admission was 35. (This includes two Muslim girls from the Andhra desa.) Fourteen of them were admited.

" (*b*) Seventeen Muslim girls including the two girls referred to above applied for admission and 12 of them were admitted."

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Measures, if any, for increasing the number of educational institutions in this Presidency.

* 222 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether it is a fact that there was a decrease of about seven thousand educational institutions in this province in 1937 as compared with those in 1932;

(*b*) what the reasons are for such a decrease;

(*c*) whether the Government have taken any steps to improve the number; and

(*d*) if so, what those steps are?

THE HON. DR. P. SUBBARAYAN:—" (*a*) The number of educational institutions on the 31st March 1937, was 6,804 less than in 1932. But the fall did not affect the strength of the institutions. On the other hand, the number of pupils on the rolls increased by 256,989 during the period.

" (*b*) The decrease in the number of schools is due partly to the transfer to the new Orissa Province of as many as 2,485 institutions and partly to the closure of uneconomic, superfluous, and inefficient elementary schools.

" (*c*) & (*d*) The Government have impressed on local bodies the necessity for increasing the number of five standard efficient schools. Rules have also been framed with a view to bring about an increase in the number of such schools under private management."

Restrictions on the visits of the chairmen of municipal councils and presidents of district boards to girls' schools.

* 223 *Q.*—SRI K. R. KARANT: Will the Hon. the Minister for Education and Legal Departments be pleased—

(i) to place on the table of the House the Government Order recently passed restricting or defining the occasions when chairmen of municipal councils and presidents of district boards may visit girls' schools; and

(ii) to state—

(*a*) what the reasons or the specific instances are which have led to the passing of this Government Order; and

(*b*) whether the same rule applies also to commissioners of municipalities and educational officers of the district boards?

THE HON. DR. P. SUBBARAYAN:—" (i) The hon. Member apparently refers to the orders in G.O. No. 1358, Education, dated 15th June 1938. The Government Order has since been modified by G.O. No. 2210, Education, dated 16th September 1938, which has been placed at the disposal of the Press.

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" (ii) (*a*) The reasons are explained in G.O. No. 2210, Education, dated 16th September 1938.

" (*b*) The answer is in the negative."

SRI V. S. R. M. VALLIAPPA CHETTIAR :—" Will the Government consider the question of modifying the order further so as to enable the district board members also to visit girls' schools ? "

THE HON. DR. P. SUBBARAYAN :—" I do not think that any need for such a modification has arisen."

SRI V. S. R. M. VALLIAPPA CHETTIAR :—" May I ask for the reason for preventing them from visiting these schools ? "

THE HON. DR. P. SUBBARAYAN :—" The Government feel that there is no necessity for every member to visit these schools."

SRI V. M. RAMASWAMI MUDALIYAR :—" Are the Government aware that in the district boards and municipalities there is a standing committee for education which goes into the question of the progress of each school, and if so, whether the Government will modify the order giving the right to inspect to members of at least the standing committee for education ? "

THE HON. DR. P. SUBBARAYAN :—" If the hon. Member will make out a case for such a departure, I will consider the question."

RAO BAHADUR SIR A. T. PANNIR SELVAM :—" Will the Hon. Minister be pleased to state the reason as to why the Government think it necessary that members of the district boards and members of the municipal councils should be permitted to visit boys' schools alone? "

THE HON. DR. P. SUBBARAYAN :—" Yes, Sir, because the number of boys' schools are many and therefore it is necessary that members of district boards and municipal councils should be in touch with them."

RAO BAHADUR A. T. PANNIR SELVAM :—" Sir, if there is a necessity for members to visit boys' schools, why should they not visit girls' schools also? "

THE HON. DR. P. SUBBARAYAN :—" The number of girls' schools is so few that the President or the Vice-President of the District Board can very well visit them."

ABDUL HAMEED KHAN SAHIB BAHADUR :—" May I know, in view of the fact that the Government are in favour of introducing co-education for boys and girls in all schools, the reason as to why they are against the introduction of this very necessary change? "

THE HON. DR. P. SUBBARAYAN :—" I am afraid the hon. Member does not understand the import of co-education."

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Proposal for the introduction of the 'Wardha Scheme' in the schools of the Province.

* 224 *Q.*—Sri D. V. RAMASWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether the Government have considered and prepared any scheme for the introduction of what is known as 'the Wardha Scheme'; and

(*b*) what steps have been taken so far even as an initial measure and in what and how many schools this year (1938–39)?

The Hon. Dr. P. SUBBARAYAN:—"(*a*) & (*b*) The question of opening a few schools as an experimental measure under the Wardha scheme of education is under consideration."

Sri D. V. RAMASWAMI:—"May I ask whether the Government are aware that there is a National school in Masulipatam called the Andhra Jatheeya Kalasala and it is being run on the lines of the Wardha scheme of education and whether the Government are prepared to give any grant to that school?"

The Hon. Dr. P. SUBBARAYAN:—"The matter of giving grant to Andhra Jatheeya Kalasala is being considered."

Sri G. KRISHNA RAO:—"May I ask the Hon. Minister, before the Wardha scheme is placed before the public, whether a clear exposition of the scheme, its practicability and the method which is going to be adopted for its introduction will be placed before the public?"

The Hon. Dr. P. SUBBARAYAN:—"I think a very clear exposition has already been placed before the public."

Alleged medical unfitness disclosed in the selection of cadets for the University Training Corps Contingent from the Presidency College.

* 225 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether it is a fact that the Presidency College Contingent of the University Training Corps has failed to muster its sanctioned strength of 77 cadets for two years in succession, that is, 1935–36 and 1936–37;

(*b*) whether it is a fact that more than 50 per cent of the applicants were rejected by the Medical Officer as physically unfit; and

(*c*) if so, whether the Government have done anything to rectify this deplorable state of affairs?

THE HON. DR. P. SUBBARAYAN:—" (a) The answer is in the affirmative.

" (b) Yes, in 1936–37.

" (c) The College contingent mustered its full strength in 1937–38."

Measures to combat malaria in South Kanara.

*226 Q.—SRI K. R. KARANT: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether he toured in May last in some of the malarial tracts of South Kanara; and

(b) what steps Government have taken or propose to take to mitigate malaria in that district?

THE HON. DR. T. S. S. RAJAN:—" (a) The answer is in the affirmative.

" (b) The Government have already introduced in the following taluks infected or likely to be infected with malaria in the district a scheme of free distribution of quinine:—

Puttur, Karkal, Coondapoor, Udipi, Kasaragod and Mangalore.

" Other measures will be taken as and when they are considered necessary."

Local fund hospitals and dispensaries taken over and proposed to be taken over by the Government in the Andhra Desa and Tamil Nadu.

*227 Q.—SRI K. V. R. SWAMI: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether any taluk headquarters hospitals or dispensaries under the management of local boards were taken by the Government;

(b) if so, how many in Andhra area and how many in Tamil Nadu;

(c) whether any more are proposed to be taken under the management of the Government; and

(d) if so, how many?

THE HON. DR. T. S. S. RAJAN:—" (a) & (b) Yes. Fifty-nine local fund medical institutions have so far been provincialized. Of these, 32 lie in the Andhra districts and 21 in the Tamil districts.

" (c) The answer is in the negative.

" (d) The question does not arise."

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SRI G. RANGAYYA NAYUDU:—"May I ask the Hon. Minister whether there is any proposal before the Government for taking over the medical institutions run by the local boards?"

THE HON. DR. T. S. S. RAJAN:—"The question has been before the Government for quite a long time and so far—the hon. Member can realize—as many as 51 institutions run by local fund have been taken over by the Government. The matter is one of finance."

Transfer of the Tadepalligudem taluk headquarters dispensary to Government management.

* 228 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) whether it is a fact that the Ellore District Board has requested the Government to take the Tadepalligndem taluk headquarters dispensary under Government management;

(*b*) whether this proposal was recommended by the District Medical Officer and the Surgeon-General; and

(*c*) whether the Government have approved of the proposal?

THE HON. DR. T. S. S. RAJAN:—"(*a*) The Government have not received any proposal from the Ellore District Board for the provincialization of the Local Fund dispensary at Tadepalligudem.

"(*b*) The Government have no information.

"(*c*) The question does not arise."

Reasons for the change in the agency for the control and execution of sanitary works.

* 229 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) whether it is a fact that the control and execution of sanitary works has been under the management of the Chief Sanitary Engineer till recently; and

(*b*) whether any change has been made; if so, what the reasons are for such a change?

THE HON. DR. T. S. S. RAJAN:—"(*a*) & (*b*) Prior to June 1936 the execution of all major water supply and drainage schemes on behalf of local bodies was undertaken by the Public Works Department. In June 1936 it was decided that the execution of such schemes should be entrusted to engineering firms on contract under the supervision of the Sanitary Engineer. The Sanitary Engineer was in charge of this work till 1st March 1938. The Government found that the new arrangement led to delays and difficulties in

execution. Several instances came to the notice of Government in which there was a difference of opinion between the Chief Engineer and the Sanitary Engineer in regard to the design and execution of schemes and between the Sanitary Engineer and the municipal councils in regard to preliminaries such as calling for and acceptances of tenders. The execution of the schemes was thereby delayed. The Government therefore thought it necessary on administrative grounds and in the interests of public health to retransfer the execution of work to the Public Works Department."

Opening of a Medical College at Tanjore.

* 230 *Q.*—S. M. LALJAN SAHIB BAHADUR: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) whether the Government propose to establish a medical college at Tanjore; and

(*b*) if so, when and at what cost, recurring and non-recurring?

THE HON. DR. T. S. S. RAJAN:—" (*a*) The answer is in the negative.

" (*b*) Does not arise."

Excise duty, if any, levied on coffee and tea.

* 231 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) the average yield of coffee and tea per acre;

(*b*) the average net income from each per acre; and

(*c*) whether there is any excise duty levied on these commodities?

SRI N. S. VARADACHARI (Parliamentary Secretary) on behalf of the Hon. Sri V. I. Muniswami Pillai:—" (*a*) It is roughly estimated at 200 lb. and 400 lb. respectively during the past ten years.

" (*b*) The Government have no information.

" (*c*) The answer is in the negative."

Fish and fruit canning.

* 232 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) whether the question of teaching canning in respect of fish and fruits was considered by Government; and

(*b*) if so, what the result is?

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Sri N. S. VARADACHARI (Parliamentary Secretary) on behalf of the Hon. Sri V. I. Muniswami Pillai:—" (a) & (b) The question of teaching fruit canning was considered but dropped as there is not much prospect of finding employment for trained men.

" Some training in canning fish was imparted in the Fisheries Training Institute, Calicut, which has since been abolished. For the reasons given above, it is not proposed to make any arrangements for imparting instruction in canning fish."

ABDUL HAMEED KHAN SAHIB Bahadur:—" May I know from the Hon. Minister whether it will not be advisable to continue giving training in fruit canning in view of the fact that there is a great demand for people who have undergone such training, and not discontinue it because there is no employment for some? "

Sri N. S. VARADACHARI:—" The hon. Member will see from the answer given to this question, that because there is not much prospect at present of finding employment for people who have undergone training, the question was dropped."

ABDUL HAMEED KHAN SAHIB Bahadur:—" May I know whether the only criterion for giving training in any subject is whether the person trained is employed or not? "

Sri N. S. VARADACHARI:—" It is a matter of opinion."

Sri K. R. KARANT:—" May I ask whether it is not a fact that one gentleman, who has returned from England after undergoing training there in fruit canning, has been applying to the Government and asking for help for the last one year but that he has not got it and therefore he is going to the United Provinces Government to take up an appointment there? "

Sri N. S. VARADACHARI:—" Notice."

Number of admissions in the Veterinary College, Madras, this year.

* 233 *Q.*—Sri K. V. R. SWAMI:— Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) the accommodation available for students in the Veterinary college;

(*b*) the number of applications received this year; and

(*c*) the number accepted?

Sri N. S. VARADACHARI (Parliamentary Secretary) on behalf of the Hon. Sri V. I. Muniswami Pillai:—" (*a*) The maximum number of students including those from outside the Presidency that can be admitted to the college every year is limited to 50.

"(b) Sixty-two applications for the Diploma course and 135 for the Degree course from this Presidency were received this year.

"(c) Five were selected for the Diploma course and 41 for the Degree course. Of these, two in the Diploma course and four in the Degree course did not join the college."

SRI G. RANGAYYA NAYUDU:—"May I know from the Hon. Minister whether all the pupils that have passed their examination in the Veterinary College are absorbed in Government service?"

SRI N. S. VARADACHARI:—"As many as can be absorbed are absorbed."

Action taken on the memorials of the ryots of South Kanara and other districts in regard to the grant of loans to pay their debts as scaled down by the Agriculturists' Debt Relief Act.

*234 Q.—MAHBOOB ALI BAIG SAHIB BAHADUR: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) whether the Government have received memorials from the ryots of South Kanara district and other districts stating that their creditors have been rushing to court and that they are unable to pay their debts as scaled down by the Agriculturists' Debt Relief Act and that the Government should come to their aid by advancing loans payable in easy instalments; and

(b) what steps the Government have taken on the said memorials?

SRI N. S. VARADACHARI (Parliamentary Secretary) on behalf of the Hon. Sri V. I. Muniswami Pillai:—"(a) The answer is in the affirmative.

"(b) The Government have provided a sum of Rs. 50 lakhs in the budget for disbursement to small debtors as takkavi loans for clearing scaled down debts. A carefully prepared scheme for the disbursement of these loans is being worked out. Relief is also obtainable through the Land Mortgage Banks. There are at present 102 banks in the Presidency; six more will be organized during the year."

SRI R. M. PALAT:—"May I know if any loan has actually been granted?"

SRI N. S. VARADACHARI:—"Notice, Sir."

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Employment of the officers and other Government servants retrenched in the Salem district on account of prohibition.

*235 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) whether all the officers and other Government servants whose services were dispensed with on account of the introduction of prohibition in Salem district have been provided with appointments in one department or other; and

(*b*) if not, what was done with those who have not been provided with appointments?

SRI N. S. VARADACHARI (Parliamentary Secretary) on behalf of the Hon. Sri V. I. Muniswami Pillai:—" (*a*) & (*b*) The question of absorbing a certain number of discharged sub-inspectors of Excise in the police department is under the consideration of the Government. Further, with a view to enable the discharged sub-inspectors of Excise to appear for selection to the posts of reserve sub-registrars, the Government have amended the Madras Registration Subordinate Service Rules to the effect that the age-rule shall not apply to their cases. The Government have no other proposal under consideration in this connexion."

K. ABDUL RAHMAN KHAN SAHIB BAHADUR:—" May I ask whether some of those officers who have been discharged on account of prohibition, are going to be absorbed in the Revenue department? "

SRI N. S. VARADACHARI:—" The question must be addressed to the Hon. Minister for Revenue."

BASHEER AHMED SAYEED SAHIB BAHADUR:—" May I ask how long ago these gentlemen were discharged and whether a number of them has been absorbed in the police department or not? "

SRI N. S. VARADACHARI:—" Arrangements have been made to absorb as many of them as possible and others have been provided with supernumerary posts. If the hon. Member puts a separate question, the exact figures can be given."

K. ABDUL RAHMAN KHAN SAHIB BAHADUR:—" May I know what the Government are going to do in the case of those sub-inspectors whom they are unable to absorb in the police department? "

SRI N. S. VARADACHARI:—" Notice, Sir."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" Arising out of the supplementary question put by one hon. Member and the answer given to it by the Parliamentary Secretary that it might be referred to the Revenue department, may I ask whether it is not a fact that the Cabinet in their joint responsibility once

decided to absorb all the officers of the Excise department who were thrown out of employment on account of prohibition in the various departments of Government and whether the hon. Secretary is not aware . . ."

MR. SPEAKER :—" The hon. Member will see that he is not putting a single question, but a number of questions."

ABDUL HAMEED KHAN SAHIB BAHADUR :—" Mr. Speaker, Sir, I thought it was a single question consisting of so many parts. In any case, in view of your ruling, Sir, I wish to ask the Parliamentary Secretary to let me know whether it is not a fact that when once these officers were discharged it was expected that they would be absorbed in the various departments of the Government? "

THE HON. SRI C. RAJAGOPALACHARIAR :—" For the information of the various hon. Members who put questions on this subject, I may mention that a separate question was put by some hon. Member on a previous occasion and a great deal of information and answers with reference to this subject have been prepared already and I should crave a little patience on the part of hon. Members in this matter for some time when everything will be clear."

Schools run by the Labour department in the Presidency.

* 236 *Q.*—SRI K. SHANMUGAM: Will the Hon. the Minister for Industries and Labour be pleased to state—

(*a*) in how many districts of this Province the Labour department is functioning;

(*b*) whether it is a fact that no labour schools have been opened in backward taluks; if so, what the reason therefor is;

(*c*) what the various communities are that are employed in the above schools as teachers and how many in each community; what the grades are of the teachers of the respective communities; how many of them are female teachers;

(*d*) the amounts spent in the respective districts for the development of education in the years 1936–37 and 1937–38; and

(*e*) in the year 1937–38, how many teachers of the labour schools were dismissed; how many have been suspended; to how many increments have been withheld; and to how many black-marks have been given?

THE HON. SRI V. V. GIRI :—" (*a*) There are District Labour Officers working in 14 districts of this province.

" (*b*) Taluks are not classified into ' backward ' or ' advanced ' for purposes of running labour schools. In the Guntur district, Palnad taluk is however treated as a backward

taluk. There is a labour school in this taluk. Labour schools are generally opened wherever necessary in consultation with District Educational authorities.

" (c), (d) & (e) Three statements [a] furnishing the information are placed on the table of the House."

Audit of the accounts of the Sri Meenakshi Mills, Ltd., Madura.

* 237 Q.—SRI V. S. R. M. VALLIAPPA CHETTIYAR: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether a special inspector was appointed by the Government to audit the accounts of the Sri Meenakshi Mills, Ltd., Madura;

(b) if so, for what reasons, and under what provision of the Companies Act;

(c) what the findings of the Special Inspector are, and the action taken thereon by the Government;

(d) how many times the directors of the said company were prosecuted by the Registration department; and

(e) for what offences they were prosecuted and the result thereof?

THE HON. SRI V. V. GIRI:—" (a) Yes.

" (b) The affairs of the company were reported to be unsatisfactory. An Inspector was appointed to investigate into them under section 138 (iv) of the Indian Companies Act, 1913.

" (c) Since the Managing Director of the Sri Meenakshi Mills, Ltd., has declined to produce the books and accounts of the company before the Inspector, the investigation has not yet commenced.

" (d) A few instances have been brought to the notice of Government.

" (e) They were prosecuted for failure to furnish the audit reports of 1929, 1930 and 1931, for failure to hold the Annual General Body meeting during 1935, for failure to file the returns of allotment within one month after the allotment was made and for failure to produce the accounts before the Inspector appointed by the Government. In all these cases they were convicted by the court. In the last case, they have appealed against the conviction to the District and Sessions Judge, Madura."

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[a] Printed as Appendix I on page infra.

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Inspection of important industrial centres by the Director of Industries.

* 238 *Q.*—SRI B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Minister for Industries and Labour be pleased to state—

(*a*) whether it is a fact that the Principal, Government Textile Institute, and the Inspector of Industrial Schools visited Bellary in February 1938 for the purpose of inspecting the Cumbly Weaving Society;

(*b*) why two officers of the department were deputed to inspect the place, though one of them is not concerned with the matter at all; and

(*c*) whether the Government will consider the desirability of insisting on the Director, as the head of the department, inspecting such a centre of industrial activity now and then?

THE HON. SRI V. V. GIRI:—"(*a*) & (*b*) It is a fact that both the officers visited Bellary in February 1938, but the Inspector visited the district for inspecting the Government Industrial School, the Central Jail and the Junior Certified School while the Prnicipal's visit was for the purpose of inspecting the cumbly-weaving societies in the villages of Kudithini and Bisalhalli.

"(*c*) The Director of Industries visited Bellary on the 24th October 1937 and with the local Deputy Registrar of Co-operative Societies inaugurated the first cumbly-weaving co-operative society there and discussed with the local officers of the Co-operative department the starting of a society at another village. He also discussed with the Collector of Bellary and Dr. Naganna Gowda the question of providing increased grazing facilities for the Kuruba weavers of Kudithini. The Director also inspected the cumbly-weaving society at Bisalhalli and the cumbly-weaving sales depot at Bellary in May 1938 and made a further inspection of the sales depot on September 9th, 1938 when he was at Bellary in connexion with the Famine Code Revision Committee. The Government are fully satisfied with the time and energy devoted to this problem by the Director of Industries."

Supervision of the Sericulture Industry at Kollegal.

* 239 *Q.*—SRI B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Minister for Industries and Labour be pleased to state with reference to the answer to starred question No. 264 answered on 4th March 1938 regarding contributions to the Sericultural Industry—

(*a*) who controls and supervises the Government of India Scheme for the development of Sericulture introduced at Kollegal a few years ago:

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(b) whether the Director of Industries is in personal touch with the activities of the scheme there; and

(c) if so, how many times he visited the centre of operations since the introduction of this new scheme?

THE HON. SRI V. V. GIRI:—" (a) The Director of Industries, assisted by the Sericultural Expert.

" (b) The answer is in the affirmative.

" (c) The Director paid a visit to Kollegal in April 1938 and inspected the sericultural operations carried on in eleven different villages."

Establishment of a Trade School in the Andhra districts.

* 240 Q.—SRI K. V. R. SWAMI: Will the Hon. the Minister for Industries and Labour be pleased to state whether any Trade School is proposed to be established in the near future in the Andhra districts?

THE HON. SRI V. V. GIRI:—There is no such proposal at present before the Government. The Government have been maintaining an Industrial School at Bellary since 1929. It provides instruction in wood and metal works, the course of training extending over five years. In this area there are also several industrial institutions under private management which are in receipt of Governmental aid. A list[a] of these institutions with details is laid on the table of the House.

SRI V. M. RAMASWAMY MUDALIYAR:—" May I know whether the Government consider that the Trade School in the City of Madras belongs to the Andharadesa or to the Tamil Nadu? "

THE HON. SRI V. V. GIRI:—" To both."

SRI D. V. RAMASWAMI:——" In the list that has been supplied to us, I find that most of the schools belong to Missionary managements. Are there no other schools which receive the support of the Government?"

THE HON. SRI V. V. GIRI:—" From the list it is evident that most of the schools are missionary schools; I have not got information whether other institutes have applied for State aid."

SRI D. V. RAMASWAMI:—" Will the Government give proper encouragement to other institutes, if they applied for aid?

THE HON. SRI V. V. GIRI:—" This matter will be considered when it comes before the Government."

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[a] Printed as Appendix II on page 243 infra.

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Orders of the Government on the memorial of the copyists of this Province.

* 241 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(*a*) whether the memorial presented by the copyists of this Province has been considered by the Government; and

(*b*) if so, what the result is?

The Hon. Sri S. RAMANATHAN (Minister for Public Information) on behalf of the Hon. Sri K. Raman Menon:—" (*a*) & (*b*) The memorial is still under the consideration of the Government."

Number of courts abolished during the last year.

* 242 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(*a*) whether any courts were abolished within the last one year;

(*b*) if so, what the number is; and

(*c*) the reasons for such abolition?

The Hon. Sri S. RAMANATHAN (Minister for Public Information) on behalf of the Hon. Sri K. Raman Menon:—" (*a*) The answer is in the affirmative.

" (*b*) & (*c*) Three permanent civil courts (the Additional District Munsif's Court of Masulipatam, the Additional Sub-Court of Tinnevelly and the Sub-Court of Tiruvarur) were abolished as there was not sufficient work for them and the retrenchment was desirable."

Sri K. V. R. SWAMI:—" May I know how many courts are going to be abolished for want of sufficient work?"

The Hon. Sri S. RAMANATHAN:—" The question is under the consideration of the Government."

Sri V. M. RAMASWAMI MUDALIYAR:—May I ask whether the Government have come to any conclusion with regard to the abolition of several other courts?

The Hon. Sri S. RAMANATHAN:—" The matter is under consideration.

Sri V. S. R. M. VALLIAPPA CHETTIYAR:—" Will the Hon. Minister be pleased to state whether it is proposed to abolish the Additional Sub-Court of Devakottai?"

The Hon. Sri S. RAMANATHAN:—" That matter also is under consideration."

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SRI K. R. KARANT:—"May I ask whether it would not be better to invest the Subordinate civil judicial officers with criminal powers to avoid abolishing civil courts as a step in separating the executive and judiciary."

THE HON. SRI S. RAMANATHAN:—"The supplementary question of my hon. Friend involves a matter of general policy and does not arise out of the original question."

SRI G. RANGAYYA NAYUDU:—"May I know if the District Munsif's Court at Sholinghur is to be abolished?"

THE HON. SRI S. RAMANATHAN:—"The question has been considered; and for the present it has been deferred."

BASHEER AHMED SAYEED SAHIB BAHADUR:—"Will the Hon. Minister give any intimation as to the courts which will be abolished?"

THE HON. SRI S. RAMANATHAN:—"I cannot predict."

Pendency of cases in mufassal courts.

* 243 *Q.*—SRI K. R. KARANT: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(*a*) whether it is a fact that there are appeals, suits and petitions in some of the mufassal courts pending for over three and four years; and

(*b*) what steps Government have taken already or are going to take in the future to put a stop to this state of affairs?

THE HON. SRI S. RAMANATHAN (Minister for Public Information) on behalf of the Hon. Sri K. Raman Menon:—"(*a*) The answer is in the affirmative.

"(*b*) The attention of the mufassal courts is from time to time drawn to the need for disposing of the oldest pending cases in preference to later ones. It has been prescribed from last year that subordinate courts should submit monthly reports on the outturn of old suits. The District Judges have been directed that, in submitting statistical returns to the High Court three times a year, they should send a review of the work of the subordinate officers with particular reference to old suits."

SRI K. R. KARANT:—"Do the Government find any improvement in the situation after issuing these directions?

THE HON. SRI S. RAMANATHAN:—"The High Court is doing all that is needful in the matter."

BASHEER AHMED SAYEED SAHIB BAHADUR:—"After directions have been issued by the Government, may I know whether the Government has had time to see whether there has been any improvement in the state of affairs?"

THE HON. SRI S. RAMANATHAN:—"Yes, Sir."

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Substitution of charcoal gas for petrol in plying buses.

* 244 *Q.*—SRI K. R. KARANT: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(*a*) whether he and some of the other Ministers have inspected a bus of the Tirunelveli district plying on charcoal gas;

(*b*) whether it is a fact that ordinary petrol buses can be converted to run on such gas with an additional expenditure of only about Rs. 300 for the construction of a gas producing chamber which can be produced locally;

(*c*) whether the cost of running such a bus on charcoal as compared with that on petrol is roughly as 1:8; and

(*d*) if so, what steps Government have taken or propose to take to encourage the use of charcoal gas by buses?

THE HON. SRI S. RAMANATHAN (Minister for Public Information) on behalf of the Hon. Sri. K. Raman Menon:—

"(*a*) The answer is in the affirmative.

"(*b*) The Government understand that a Chevrolet petrol bus can be converted to run on gas at a cost of about Rs. 350 or Rs. 1,500, according as the necessary equipment is manufactured locally or is imported from abroad.

"(*c*) The cost is reported to be roughly in the proportion of 1:5.

"(*d*) The question is under consideration."

Use of fans by the members of the Bar throughout the year.

* 245 *Q.*—SRI K. R. KARANT: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(*a*) whether it is a fact that in courts where there are electric fans, whilst the fans over the presiding officers work all round the year (i.e., on all working days), including months when there may be no necessity for them, those intended for the Bar work only for a few specified months, and not always when they are required; if so, on what principles, if any, these distinctions are based; and

(*b*) whether Government will take steps to remove such distinctions and allow fans to be used by both at all times when their use is found necessary?

THE HON. SRI S. RAMANATHAN (Minister for Public Information) or behalf of the Hon. Sri K. Raman Menon:—(*a*) The position in regard to the use of fans over Bar tables in courts is as follows:—

"In the civil and criminal courts in the City, the Bar is allowed the use of fans throughout the year.

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"In the criminal courts in the mufassal, the members of of the Bar are not allowed the use of either a punka or an electric fan.

"In regard to the civil courts in the mufassal, the Government, on the recommendation of the High Court, directed in 1914 that the cost of pulling the punkas over the Bar tables in court halls should be borne by the State for a period of not more than six months in each year (i.e., excluding the vacation, which is usually during the hot months). In courts where punkas have been replaced by electric fans, the use of the latter has also been restricted to the same period.

"(*b*) The question of allowing the use of fans over Bar tables in the mufassal civil courts throughout the year is under the consideration of the Government."

Alleged restriction imposed on local bodies in regard to the purchase of portraits and pictures of leading persons.

* 246 *Q.*—MAHBOOB ALI BAIG SAHIB BAHADUR: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) whether any Government Order has been passed by the present Government prohibiting the expenditure by the local bodies for the purchase of pictures or portraits of any persons except those of Their Majesties and Mr. Gandhi;

(*b*) why distinction was made between Mr. Gandhi and other leaders; and

(c) whether the Government are aware that the Muslim members of some local bodies have expressed their resentment at the invidious distinction drawn between Mr. Gandhi and their leaders?

THE HON. SRI B. GOPALA REDDI:—"(*a*) The answer is in the affirmative.

"(*b*) On account of preeminent service rendered to the nation and the esteem and affection in which Mahatma Gandhi is held by all people irrespective of class or community.

"(*c*) The answer is in the negative."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I know whether the Government is aware that there is another leader who is held in high esteem and in equal esteem, if not by the entire nation, at least by a very large and important community—the Muslim community—namely, Mr. Jinnah, and whether his name will not be included in the Government Order including the name of Mahatma Gandhi?"

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THE HON. SRI B. GOPALA REDDI :—" It may be that he may be held in high esteem but not in equal esteem; the Government do not propose to do anything in the matter."

ABDUL HAMEED KHAN SAHIB BAHADUR :—" Is it the policy of the Government to make a distinction between Muslim leaders and non-Muslim leaders and to create trouble among the communities by making such invidious distinctions? "

THE HON. SRI B. GOPALA REDDI :—" It is not a question of Hindus *versus* Muslims; Mahatma Gandhi does not belong to any particular community."

RAO BAHADUR SIR A. T. PANNIR SELVAM :—" May I ask what the facilities are which the Government have for gauging the level of public estimation at which various individuals are held? What is the material on which the Government decide that one gentleman is being held in higher esteem than others? Are the Government in a position to gauge the exact nature of public estimation held by people, regarding various individuals? "

THE HON. SRI C. RAJAGOPALACHARIAR :—" A definite question may be put on the matter."

RAO BAHADUR SIR A. T. PANNIR SELVAM :—" I have put a definite question."

MR. SPEAKER :—" The hon. Member may give proper notice of a fresh question."

RAO BAHADUR SIR A. T. PANNIR SELVAM :—" May I ask how the Government find out the exact level of public estimation held regarding various individuals in the country? How are the Government able to gauge that one gentleman is held in higher esteem than another? "

THE HON. SRI C. RAJAGOPALACHARIAR :—" The Hon. Minister for Local Administration imagined that there would be no controversy over the question; if any controversy is to arise, I request that an original question might be put instead of a supplementary question."

MAHBOOB ALI BAIG SAHIB BAHADUR :—" Are the Government aware that in the Municipal Council of British Cochin, there was a controversy over this matter? "

THE HON. SRI B. GOPALA REDDI :—" I remember some discussion in the British Cochin Council.

MAHBOOB ALI BAIG SAHIB BAHADUR :—" Is the Hon. Minister aware that the Muslim members of that municipality wanted to present the municipality with a portrait of Mr. Jinnah?"

THE HON. SRI B. GOPALA REDDI :—" We made enquiries; the majority of the municipal councillors in the Cochin Municipality was against the proposal; so, that item was not included in the agenda."

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Interference of the presidents of district boards with the powers of the district panchayat officers in panchayat board election arrangements.

* 247 *Q.*—SRI B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) whether it is a fact that the District Panchayat Officer, North Arcot, fixed originally the Board Elementary Muhammadan School as the polling centre for the Anwardikanpet Panchayat Board general elections in Arkonam taluk and issued a notification to that effect;

(*b*) whether it is a fact that the Vice-President and President, District Board, North Arcot, interfered and issued orders to the District Panchayat Officer to change the polling place to a different place just on the very day fixed for elections;

(*c*) whether the presidents of district boards have any powers to interfere in the elections of panchayat boards and to issue orders to the district panchayat officers, and if so, under what authority; and

(*d*) if the answer to (*c*) is in the negative, whether the Government will consider the desirability of issuing the necessary instructions to presidents of district boards not to interfere in the matter of elections?

THE HON. SRI B. GOPALA REDDI:—" (*a*) The answer is in the affirmative.

" (*b*) The Government understand that the President and the Vice-President of the North Arcot District Board requested the District Panchayat Officer and the Assistant Panchayat Officer, Ranipet, respectively, to hold the elections to the Anwardikanpet panchayat in the aided school situated in the main village of Anwardikanpet instead of in the Board Muhammadan school, situated outside the main village.

" (*c*) There is no objection to Presidents of District Boards giving suggestions to district panchayat officers and assistant panchayat officers in the matters concerning elections.

" (*d*) The Government do not consider that the issue of any special instructions is necessary in the matter."

Details regarding the number of superseded and dissolved municipalities and panchayat boards.

* 248 *Q.*—SRI B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) the number of municipalities and panchayat boards (pre-union boards) which are under supersession and dissolution;

(*b*) what they are; and

(*c*) how many of them were superseded or dissolved from 14th July 1937 to 30th June 1938?

THE HON. SRI B. GOPALA REDDI:—" (*a*) & (*b*) The Chirala Municipal Council is under supersession. No Municipal Council is under dissolution. A list [a] of pre-unions which are under supersession is placed on the table of the House. No pre-union is under dissolution.

" (*c*) One municipal council and twenty-three pre-unions were superseded during the period from 14th July 1937 to 30th June 1938."

Dissolution and re-constitution of the Tiruppattur Municipality.

* 249 *Q.*—SRI B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) whether it is a fact that the Tiruppattur Municipality in North Arcot had been dissolved by Government;

(*b*) if so, when;

(*c*) what the reasons are for the dissolution;

(*d*) whether it had been constituted;

(*e*) if so, when; and

(*f*) if not, why the Government are postponing the elections for the said municipality?

THE HON. SRI B. GOPALA REDDI:—" (*a*) The answer is in the affirmative.

" (*b*) On the 5th March 1938.

" (*c*) The Council made persistent default in the discharge of its functions and showed itself lacking in a sense of financial responsibility.

" (*d*) The answer is in the affirmative.

" (*e*) & (*f*) From 1st November."

Particulars regarding the number of Muslim members and office-bearers elected to district boards since July 1937.

* 250 *Q.*—BASHEER AHMED SAYEED SAHIB BAHADUR: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) the districts in which elections to the district board have been held since July 1937 up to date, together with the strength of each board;

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[a] Printed as Appendix III on page 243 infra.

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(*b*) the number of Muslims returned by the General Constituencies and the Reserved constituencies to each of the District Boards respectively;

(*c*) the particular political persuasion or party to which each of the said Muslim Members belongs as far as known to the Government or could be ascertained by them; and

(*d*) the number of Muslim members who have been elected to the offices of President and Vice-President of the District Boards, and the respective district boards in which they hold such offices?

THE HON. SRI B. GOPALA REDDI:—

" (*a*)—

Name of district board.	Strength.
Vizagapatam	52
Bellary	48
Chingleput	48
North Arcot	52
South Kanara	44
Trichinopoly	52
Madura	52
The Nilgiris	32

and subsequently eight more districts had elections.

" (*b*) A statement containing the information was placed on the table on 19th August 1938.

" (*c*) The Government have no information.

" (*d*) A Muslim Member has been elected as the President of the Madura District Board and two Muslim members have been elected as Vice-Presidents of the District Boards of Trichinopoly and North Arcot respectively."

BASHEER AHMED SAYEED SAHIB BAHADUR:—" May I ask whether the information can be brought up to date? Will the Hon. Minister bring the list that was placed on the table of the House at the last meeting, up to date? "

THE HON. SRI B. GOPALA REDDI:—" I shall see."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" May I know what the effect was, whether the number of Muslim members was increased and whether any additional seat was given to the Muslim community in any one of the boards? "

THE HON. SRI B. GOPALA REDDI:—" Certainly it was given."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" What are the names of the district boards? "

THE HON. SRI GOPALA REDDI:—" West Godavari and Chittoor."

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* RAO BAHADUR SIR A. T. PANNIR SELVAM:—" Sir, regarding the adjournment motion of which I had given notice . . . "

MR. SPEAKER:—" I think it was communicated to you that I had refused my consent."

* RAO BAHADUR SIR A. T. PANNIR SELVAM:—" Would it not be possible to give me an opportunity of showing how it is in order? "

MR. SPEAKER:—" The motion as it stands cannot be allowed."

* RAO BAHADUR SIR A. T. PANNIR SELVAM:—" I thought that you, Sir, may be able to give me a chance of explaining how the resolution as worded by me would be in order."

MR. SPEAKER:—" The hon. Member came to me yesterday . . . "

* RAO BAHADUR SIR A. T. PANNIR SELVAM:—" Yes, Sir, and the matter was kept on till to-day; and when I came up to you at 2-40 p.m. to-day, the Secretary informed me that the resolution had been disallowed; and I did not come earlier . . . "

MR. SPEAKER:—" The order has been made and consent has been refused. No further discussion of the question can be allowed."

* RAO BAHADUR SIR A. T. PANNIR SELVAM:—" Just a chance to submit to you, Sir, how I consider it to be relevant and see whether it may not be possible for you to change your opinion."

MR. SPEAKER:—" The hon. Member must have come earlier if he wanted to present any other aspect of the matter. It is now too late."

* RAO BAHADUR SIR A. T. PANNIR SELVAM:—" I did not come earlier for this reason: I was told, Sir, that you were observing hours of silence; and I thought I might be disturbing you. That is why I came at 2-40 p.m., by when the order had been passed."

MR. SPEAKER:—" It cannot be helped."

* RAO BAHADUR SIR A. T. PANNIR SELVAM:—" May we know your hours of silence, Sir, and when we may come to you? "

MR. SPEAKER:—" That may be asked later. It is not a matter to be asked in the House. Such matters may be asked privately in the Speaker's chamber."

* RAO BAHADUR SIR A. T. PANNIR SELVAM:—" I am sorry, Sir. I did not mean any offence."

MR. SPEAKER:—" Well, the hon. Member might have written a letter if he wanted a formal engagement, and certainly every opportunity will be given to every hon. Member of this

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House to meet the Speaker by previous appointment, if he so desires, and every facility will be given for a full discussion of any matter that is the subject-matter of discussion on the floor of this House."

[*Note.*—**An asterisk (*) at the commencement of a speech indicates revision by the Member.]**

II.—CONDOLENCE RESOLUTION *RE* THE DEATH OF MOULANA SHAUKAT ALI.

ABDUL HAMEED KHAN SAHIB Bahadur:—" Mr. Speaker, I gave notice of a condolence resolution on the death of Moulana Shaukat Ali, and I shall be very happy if you, Sir, will allow me to move the resolution."

Mr. SPEAKER:—" What does the Leader of the House say? "

* The Hon. Sri C. RAJAGOPALACHARIAR:—" I have been discussing this matter, the pros and cons of it, with the hon. Member since yesterday; and I have been trying my best to place before him certain inconveniences that would arise if we start a new precedent. The last request that I made to him was that if he was not convinced yet, we shall still consider and we might finally take the decision to-morrow; but he has forced it; and I am sorry I am compelled to place it before you, Sir, that it is altogether a new precedent. The House knows too well to need any particular statement on my part my affection and admiration for the person referred, whose death is the cause of the question that has been raised. But if we start such a precedent for the first time, viz., the taking note of the passing away of one who is not a member of this House, it would be difficult, as was observed on a previous occasion on a different matter, to make estimates of persons and things like that, and it would be impossible to resist any request; we shall start an altogether new precedent which will be followed by controversies, if hon. Members claim to raise their voice against such proposals. All these considerations, I have respectfully and with some degree of pain placed before the hon. Member; but he has not been convinced. I can only repeat it, and I beg to be excused for not agreeing to start this new precedent."

ABDUL HAMEED KHAN SAHIB Bahadur:—" Mr. Speaker, I am sorry that the Hon. the Leader of the House does not see his way to give his consent to the moving of this very important and sacred resolution in this Assembly."

Mr. SPEAKER:—" It is a condolence resolution and however ardently some of us may love the departed soul, it must have a practical unanimity in this House. It is not a resolution that should be put to the vote and lost or passed; and as such when

the Hon. the Leader of the House says that he is not able to accede to it, it is not desirable that the matter should be pressed further."

* RAO BAHADUR SIR A. T. PANNIR SELVAM:—"Are we to understand that in future no condolence resolution touching the death of anybody who was not a Member of this House will be brought up on either side of the House?"

MR. SPEAKER:—"It is a matter entirely in the discretion of the Chair after necessary consultations with the Leader of the House, the Leader of the Opposition and other Members of this House."

III.—MOTION UNDER RULE 17 OF THE MADRAS ASSEMBLY RULES.

* THE HON. SRI C. RAJAGOPALACHARIAR:—"Sir, I beg to move—

'*that rule* 17 *of the Madras Legislative Assembly Rules be suspended and the House do resolve to transact Government business on Wednesday, the 30th November* 1938.'

"In making this motion, I may inform Mr. Schamnad, who is in charge of a private Bill, the Mappilla Marumakkattayam Bill, which has been advanced through certain stages, that the Government would be quite prepared to give facilities for taking it up on the 30th November after Government business."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"Mr. Speaker, I wish to bring to your notice one matter. In matters like this, it is usual for the Government or the Leader of the House to consult representatives of parties; but I am sorry to bring to your notice that no such thing has been done in this matter. I, for one, will not stand in the way of the Government changing the order of business. I may have appreciated it if the Government had consulted the members of parties and thus enabled them to say whether this resolution which the Hon. the Leader of the House has brought forward has the unanimous consent of the House or not. Therefore, Sir, I think it is right that we should bring to your notice what has happened and what has not happened so far in this matter."

* ABDUL HAMEED KHAN SAHIB BAHADUR:—"I am sorry, Sir, that I have to oppose this resolution. I think that more than anybody else the Prime Minister would realize that it is not one section of the House that is to carry on the business of this House by itself, but that it should act with the co-operation of all the sections of the House when the business of the House is carried on. He is also aware that we on this side of the House form only a very small minority in this very large House; and rather especially on that account, it is necessary that not only you, Sir, the Speaker, who is the custodian of the rights of all

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sections of this House, but also the Leader of the House ought to be really the leader of the entire House and not function merely as the leader of the party of which he is the leader. He should realize the needs and requirements of all sections of the House and he should on that account give facilities especially to those who are in a minority sitting opposite to him, to carry on and conduct any business which is termed non-official, by giving notice of resolutions and bringing forward Bills. Sir, this is the only opportunity that the Opposition has, to bring before the House any points of view that it entertains, and when the position is especially such that we are not in a position even to move an adjournment motion here. The Hon. the Leader of the House should realize this, that constituted as we are, the Opposition has hardly thirty-five members who can rise up and move an adjournment motion and express their opinion on a question affecting a very large section of the people of this Province. When we cannot do that, when such is the case, the Hon. the Premier takes away the only right that the Opposition has of moving non-official motions and even bringing forward Bills and moving them before this House. Whatever may be the results of the Bills they ought to be given at least the initial right of moving them and discussing them. It is wrong, positively wrong, particularly on the part of the Leader of the House—a Leader who has got behind him a very very large number of Members and especially when he has got all those forces behind him. He should realize and he should feel, and those who are sitting behind him should also feel that they also should have the right to have their rights expressed in this House freely and that opportunity should not be taken away from them in this rather arbitrary manner."

* SRI G. KRISHNA RAO:—" Sir, the proviso to rule 17 of the Madras Assembly Rules enables the Hon. the Leader of the House to suspend the rule and appropriate the non-official day for official purposes. Such a utilization of the non-official day may perhaps be justified by the exigencies of State, the pressure of work, urgency and so on. But I think the Hon. the Leader of the House will see that this is a handicap placed on the non-official Members who have only one day in a week, Wednesday. When such an arrangement is going to be made at a sitting, it is but just and fair that the Leader of the House must make some compensatory arrangement and see that a whole day or another partial day among the official days should be given for non-official Members. When the Government take a non-official day for their purpose, the Leader of the House should see that some compensation is made to meet the needs of the Members of the Opposition."

* RAO BAHADUR SIR A. T. PANNIR SELVAM:—" Apart from the question of the hon. the Leader of the Opposition not being consulted—I am not surprised at the way the Leader of the Opposition has been treated by the Members of the Government—I

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expected that at least in the course of his speech in moving the resolution, the Hon. the Premier would have explained the reasons which necessitated the Government to make this motion. After all, this motion, if accepted, would amount to a considerable curtailment of the rights and privileges of individual Members of this House, of which, you, Sir, as the Speaker, are the custodian. I do not say that those rights ought not to be invaded or curtailed under any circumstances. I do not say this encroachment should not he made even when exigencies of State or overriding considerations of that sort make such a course necessary; but the Hon. the Premier has not said one word explaining the necessity for declaring to-morrow the 30th of November—Wednesday, to be a day for the consideration of Government business. I could understand if the Government wanted to pass any urgent measure, if they were pressed for time and if they felt that if this was not done, things might come to a stand still or that necessary legislation might be delayed, or things like that. In such circumstances, I could understand a non-official day heing appropriated for official business. The Hon. the Leader of the House has not even condescended to tell us since yesterday morning—and we are still in doubt over it—as to how long we, Members of the mufassal, might have to stay here in connexion with this meeting of the Assembly. After all, the agenda does not seem to be a long one. There are the Malabar Temple Entry Bill, the Minor Ports Fund Bill, the Prohibition (Amendment) Bill; and each of them may take a day, at the most. If we leave out Wednesday, the 30th November for non-official business, we have still got Thursday, Friday and Saturday in this week and the agenda before us should therefore be very comfortably finished by Saturday. Therefore, Sir, I cannot understand, in the absence of any explanation from the Hon. the Premier, why or for what reasons the Government have come forward with this resolution, unless it be that they are of the view that in this House their voice shall be heard and no other."

* THE HON. SRI C. RAJAGOPALACHARIAR:—"Sir, I wish that these objections had been raised without so much heat and without reference to presumptions of various kinds. The explanation is very simple; that I had never expected any opposition to this motion. That was the reason why my motion was made in a simple and businesslike manner without giving any reasons. But now, let me proceed to explain the position exactly. If to-morrow had been expected, till the moment that I made this motion, to be a non-official day, hon. Members would have been surprised before now that no ballot had been arranged, that their motions were not taken up; and they should have felt the resentment which they now show, even yesterday or at some time, before my motion was made; and I should have had many persons coming to me to ask why I had committed this crime. But having been left to myself till now, no member knowing

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whether his motion had been balloted for, I did not imagine that there would be this objection. And I am somewhat surprised at this sudden eruption of resentment at my motion. But let me explain also one or two simple matters further than this. Hon. Members are aware that Select Committees have to sit over some of the Government Bills which have been moved. Those Select Committees will have to come back with their reports, and the House will have to sit over them. The way is not so short, the passage for those Bills is not so short as Sir Pannir Selvam has put it. We will have to sit longer than he expects, and therefore there will be time for hon. Members to find the interval that they want for bringing in private motions and resolutions of the kind, in other words, for non-official business. But if we sit over them to-morrow, it may prevent the progress of the Government Bills that have been placed before hon. Members, in time for consideration by the other House. It is only an adjustment that I am now asking. For instance, if we are able to proceed to do Government business to-morrow, nothing will prevent non-official Members to ask for time and to get it as much as they would have obtained to-morrow. But if we do not intervene with non-official business to-morrow, it may be possible for Members who are interested in the various Select Committees to go on working full time on Government business and to finish the same; and then there will be ample opportunity for having the non-official day that they now require. Compensatory arrangements will always be made, and if only hon. Members will follow the procedure followed in parliaments in other countries—not to speak of England where you will find that the Government is much more greedy of the time of the House than we are here, however much it may be felt by some that we have been greedy, they will find that this is not anything out of the way. As a matter of fact, we have so far given very little occasion for complaint of this kind, because non-official days are non-official days mostly, except under special circumstances like this. Even now, this motion is not taking away the day completely from non-official Members; they will have another day allotted for their business as soon as Government business is over. There is no loss of Wednesdays; they will not be abolished in the calendar. That is all that I wish to submit.

" As regards the point of courtesy that was raised, as I have already explained, I did not imagine that hon. Members wanted to-morrow to themselves since nobody raised any complaint and since the ballot had not been held. As a matter of fact, the decision to ask for to-morrow to be taken away under rule 17 was arrived at long ago. In consequence of that decision, the Members had been made aware that no ballot would be held, and therefore it is that the office of the Legislature intimated to hon. Members on the 16th November that fresh intimation would in due course be given to them of the further day fixed for

the ballot, and that this day would not be taken up for non-official business. Therefore it was that there was this alleged lapse of courtesy on my part, but the Leader of the Opposition knows that I would not be deliberately guilty of any such lapse in the matter of courtesy. Even if rule 17 gave all the powers to the Government, if hon. Members felt that they had any grievance in a matter like this, I would be the first person to make compensatory adjustments.

" I have explained enough, Sir, and I hope that the House will accept the motion that I have made."

MR. SPEAKER:—" Reference has been made in the course of the observations to the question of protection of minorities in the House. Hon. Members of this House may well be aware how the Chair has been throughout very jealous with regard to the protection of the rights of all sections of the House, whatever may be the strength of the minorities, even if it consisted of one individual member.

" With regard to the motion before the House now, I should say that though the rule strictly provides for a motion by the Government, it is a question of the allotment of a certain amount of ' time ' for non-official business, and non-official business having precedence over other kind of business on that particular day, i.e., Wednesday. Up to this time, as much time as was needed, and even more, was certainly given to the minorities in this House, and this motion is intended not to take away the time of the non-official members, but to give them some other day. I may assure hon. Members that in this House non-official members will certainly have as much time given to them as is required for the transaction of non-official business, not Wednesdays alone, if possible.

" I think after this observation there will be unanimity in carrying this motion."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—" I may have to say a word or two, Sir. What I wanted to say was not that members of my party or others wanted to stand in the way of an adjustment like this, or that we were not aware of the intimation given by the Legislative Assembly office with regard to change of date. But, as you will see, Sir, the Government have moved a motion to-day in this House for leave to change the day, and it is quite natural for the parties here to expect the Government to tell them in advance what they propose to do with regard to the non-official day. As my friend pointed out, this House is entitled to know from the Government what kind of business is going to be placed before us at least in the first week itself, if not on the first day. It is that point that we would have gained if previous consultation had taken

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place. Not that we were not aware of the intimation given by the Assembly office. If only Government had consulted the parties, we would have known when the non-official day would come; but now, it is only after the Leader of the House had given some explanation of the programme of business before us that we come to know it. As a matter of fact, in regard to adjustment of business, we have always agreed whenever Government had proved the necessity for such adjustments."

BASHEER AHMED SAYEED SAHIB BAHADUR:—" Arising out of the speech of the Hon. the Leader of the House, may I rise to a point of order and submit that it was not proper that no ballot was held simply because the Hon. the Premier gave notice of his intention to move that the non-official day should be converted into an official day? A motion of the Premier is as good as a motion by any other hon. Member, but no better. Simply because he gave notice saying that he was going to move for the suspension of the standing order, it did not really mean that the decision of the Assembly had been taken or that the rule had been suspended. I submit, Sir, that it is not right or fair to say that simply because notice had been given, and no ballot was held, therefore there would be no non-official day. Having a non-official day or not having it, depended entirely upon the motion made in this House and upon the majority of this House consenting to it. It might be that so far as the Hon. the Leader of the House was concerned, he had the absolute certainty that the motion would be passed; but we could not be sure of it unless and until the motion was actually made and the Assembly gave its consent to it. So that, Sir, the mere sending in of notice would not mean that the ballot should be stopped; and it should not be presumed that on account of the notice, there would be no non-official day. That is prejudging the motion. Even before the Assembly gave a vote on a motion to be moved by the Hon. the Premier, it was not open to any authority to say that the hallot would not be held. In all humility, I submit, Sir, that the whole sitnation has been prejudged; in *fact*, it might have been right, but *legally* it is not sound. But I do not think it is fair on the part of the Hon. the Premier to say that because notice went round, we were all prepared for this position. It is an action which is liable to be questioned. If this House is not willing to give leave on the motion of the Hon. the Premier, we will not he able to transact Government business to-morrow; but the mere sending in of notice is not enough, and it is not right to prejudge the matter."

MR. SPEAKER:—" There is evidently some misconception on the part of the hon. Member with regard to the procedure that is being adopted. Sufficient time will certainly be given for the conduct of non-official business, and the day therefor will be fixed. Hon. Members are no doubt aware that it is the Speaker's

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right to fix a day for the ballot, and that day will be fixed in due time; even to-day I can fix it and I shall certainly fix the day on which non-official business will be transacted."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" On a point of information, Sir, may I ask whether a day was not previously fixed for ballot, whether non-official resolutions and Bills had not been received, and what exactly was the reason for postponing the date of the ballot? "

MR. SPEAKER:—" The hon. Member who wants the information may know that in view of the fact that there was a certainty of this motion of the Prime Minister being carried in this House (Laughter), and in view of the fact that non-official Members are getting sufficient time at each meeting for the transaction of non-official business, and in view also of the fact that the Chair has been particularly securing the allotment of time for non-official business fully, the date of ballot was postponed; but if the ballot has not been held already, it will be held certainly and business that comes out of the ballot will have full opportunity and will be reached during this meeting itself. So, this motion can be passed unanimously."

BASHEER AHMED SAYEED SAHIB BAHADUR:—" On a point of order, Sir, may I invite your attention to rule 20 of the Assembly Rules, sub-rule (9), which states that ' the ballot shall be held at such time as may be determined '? It is not the ' day ' but the ' time '."

MR. SPEAKER:—" ' Time ' includes the day, hour and minute. As I said, it will be held at the time fixed by the Speaker. I suppose that will satisfy everybody. The Chair has already assured non-official Members that their rights with regard to time and with regard to fullness of discussion would be jealously guarded; and that should satisfy them.

" The question now is that rule 17 of the Madras Legislative Assembly Rules be suspended and the House do resolve to transact Government business on Wednesday, the 30th November 1938."

The motion was put and carried.

IV.-THE MALABAR TEMPLE ENTRY BILL, 1938.

THE HON. SRI C. RAJAGOPALACHARIAR:—" I wish to move again, Sir, that the next item of business standing in my name, namely, the motion regarding the Malabar Temple Entry Bill, be taken up on Thursday, the 1st December instead of to-day; and that I might be permitted to move the item next against my name with regard to the Madras Prohibition (Second Amendment) Bill."

The motion was put and carried.

V.—THE MADRAS PROHIBITION (SECOND AMENDMENT) BILL, 1938.

* THE HON. SRI C. RAJAGOPALACHARIYAR:—" Sir, I beg to introduce the Bill [a] further to amend the Madras Prohibition Act, 1937, for certain purposes, which has been duly published and circulated, and move that the Bill be taken into consideration at once.

" In doing so, I just wish to explain the object of this amending Bill. Hon. Members are aware that under section 20 of the Prohibition Act, the Provincial Government or any officer empowered by them in that behalf may issue certain permits for authorizing any person or institution to possess and use any liquor for any religious purpose in accordance with ancient custom. Especially, the Christian community uses a kind of wine for certain sacraments and certain other purposes. Certain denominations particularly felt that this was an important item of exemption, which ought to be given a better place in the scheme of the Prohibition Act than what is given to it under section 20. As a result of representations made by them, and in order to avoid the objection that was raised to the exemption being given under a permit as for beverage purposes, the term ' permit ' was changed into ' Authority ' and the conditions were also so altered that there would be no feeling left of any difficulty with regard to the possession of sacramental wines. But, even then objection was raised that it was not right to class this exemption along with the exemptions for beverage alcohol, and that it ought really to find a place in the statute along with the alcohol that is used for medicinal, scientific and industrail purposes. After considering all aspects of the matter, Government have decided to concede further in regard to this matter and to introduce a new section immediately under section 16 which refers to alcohol for medicinal, scientific, industrial and other purposes. The new clause 16-A which has been published will read thus—

> ' The Provincial Government shall make suitable provision for issuing " Authorities " to persons and institutions for the possession and use of such liquor as may be required by them for any *bona fide* religious purpose in accordance with ancient custom, under such terms and conditions, and penalties for infringement, as may be prescribed.'

The original form of authority under section 20 was, according to the statute, discretionary, though, in practice, it was a rule that every priest could have this exemption. But, inasmuch as a desire was expressed that it should be made mandatory that such authority should be issued, section 16-A provides it in the mandatory form. I submit, therefore, that all objections on this score have been met and I crave the permission of the House to introduce this measure which is intended to avoid all difficulties, even though they might he only felt as apprehensions than as any inconveniences at the present moment. I therefore request the

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[a] Published in the *Fort St. George Gazette*, dated the 15th November 1938.

House to accept this amending Bill unanimously. I move that it be taken into consideration at once."

* RAO BAHADUR SIR A. T. PANNIR SELVAM:—" Mr. Speaker, Sir, as the only Catholic Member of the Assembly sitting on this side of the House, it would perhaps be expected of me to offer the Government the thanks of the community for the trouble and pains taken by the Hon. the Premier to meet their demands even when those demands are considered to be based on mere sentiment and not on any real substantial grounds. I might say that on a first perusal of the Bill and more particularly the accompanying Statement of Objects and Reasons, I felt that the community's thanks were certainly and most unreservedly due to the Hon. the Premier. But, on a closer study and deeper scrutiny of the Bill, I feel that the real demand of the community has not been met in any the least degree; and that the Bill does not advance the position of the community one inch further than what it is to-day. In fact, as I understand the amending Bill, it makes it, if anything, really retrograde. I do not wish to say that the Government are not actuated by their desire to meet our demands. But, I am afraid they have not understood our point of view in regard to this question and the result is the unsatisfactory nature of the Bill. Sir, this is a matter in which right from the outset the community has not had a proper opportunity of placing its case before this hon. House. The original Bill came up for consideration within such a short period after its publication that the community had hardly time to discover that the Prohibition Act was going to adversely affect a matter of such vital importance to them, much less, to raise their voice of protest. And when the matter did actually come up for discussion, I was unwell and could not be present in the House and the other Catholic Members of the House being all in the Government benches, there was not much opportunity for the Catholic point of view being placed before the House. True, the question was raised by my hon. Friend, Mr. Saldanha, and his colleague in the Upper House. But at that stage, it was not possible for the Hon. the Premier to accept his amendment for reasons which I could realize and understand. The Hon. the Premier was very anxious that it should become law before the 1st of October, on which date prohibition was to be introduced, and if he had accepted the amendment, that would have necessitated a further reference to this House and consequent delay and the Government would not have been in a position to have the law in time for their purpose. When I raised the question during the Budget discussion you, Sir, said, no doubt quite rightly, that I ought not to do so, but should bring in a resolution or a Bill. If I did not bring forward a resolution or a private Bill on this matter, my excuse is the defeatist feeling that I have, perhaps I am wrong, that the very fact of my sponsoring a Bill would constitute, in the eyes of the Government,

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a disqualification for the Bill. Under these circumstances, it was indeed very generous on the part of the Hon. the Premier to have brought forward this Bill and thereby given us an opportunity of placing before this House our point of view in this matter—a matter which fundamentally affects the rights of one of the minority communities of this Province.

" Sir, in the Statement of Objects and Reasons, it is stated:—

" In order to meet an objection that was raised to the term ' permit ' as derogatory to the office and functions of priests, the Government substituted for the system of ' permits ' a system of ' Authorities ' for the possession, issue and use of wine for sacramental purposes. The provision which existed in the old permit for cancellation, without reasons being assigned, was also omitted and it was arranged that Authorities should be issued annually to the holders of specified religious offices, that they should cover every successor in the same office during the year, and that they should not in terms restrict the quantity of wine that may be possessed at any time. By a similar Authority, it was provided that bishops might possess sacramental wine in casks or bottles and issue it to priests within their jurisdiction or to any visiting priests of the community for religious purposes. Provision was also made for wine issued under the Authority granted to a bishop being transported under a covering certificate issued by the bishop himself."

" It will thus be seen, Sir, that care has been taken to obviate any possibility of any real inconvenience in the matter, but still sentimental objection seems to remain, and further representations have been received. The Government seem to have felt that the objection of the Catholic community to this provision in the Bill is based on sentimental grounds and is a mere question of prestige of the priests and bishops of the community. I would submit most respectfully that it is not a case of mere sentiment or prestige. I am sure that the Catholic priests and bishops do not claim to be put on a special plane distinct from the rest of the world. I am sure, the Catholic priests and bishops have no desire to have themselves classified differently from the rest of the world in the eye of the law, now to ask for a favoured treatment. Therefore it is not a case of mere prestige; and I shall explain also how it is not a matter of sentiment.

" The law as it stands at present says, ' The Provincial Government or any officer empowered by them in this behalf may issue permits authorizing any person or institution to possess and use any liquor for any religious purpose in accordance with ancient custom.' First of all I should like to say that it is not in accordance with mere custom, as the word is ordinarily understood, that mass wine is being used at the Holy Sacrifice of Mass. It is not a practice which has attained sanctity or importance merely bceause the practice has been in vogue for a very long period. It is an observance enjoined on us by religion. It is a custom ancient in the sense that it is as ancient as that great day of redemption of the world when Lord Jesus Christ taking a piece of bread said, ' This is my flesh,' and taking a glass of wine, said, ' This is my blood.' The Holy Mass is a divine institution, the original author being no less a person than our Lord Jesus Christ.

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It is in that belief that we observe that service. Therefore I say it is a matter of religious obligation on us that mass wine should be used at the Holy Sacrifice of Mass.

"There is the other aspect which I would also like to place before hon. Members of the House, viz., the importance of the particular service called by the Catholics, the Holy Mass. A man might spend a whole week in fast, mortification and penance. But if on the seventh day, the Sunday, he wilfully neglects or fails to attend the Holy Sacrifice of Mass, all the sacrifices and penances of the whole week would avail him nothing. In the same way, to Catholic priests, the offering of mass is the most important service which is offered every day by every one of the Catholic clergy, from His Holiness the Pope down to the latest ordained priest. I am pointing out all these only to show that this offering of mass wine is not a matter of sentiment, but it is a matter of religious obligation on us. No practising Catholic would fail to attend the mass on Sunday, and to be wilfully absent from the mass on that day would constitute a grievous sin. That is the importance that we Catholics attach to the service, and in that service it has been ordained from that famous Thursday night that wine must be used. Since then wine has been used in all services. Further, the wine that is used in all these services is a particular kind of wine, which is by no means intoxicating. The degree of alcohol contained therein is indeed very little, and the quantity of wine that is required is about an ounce or two at the most for each mass. I am pointing out these things only to show what actually it means when you say that every Catholic priest or bishop shall have possession of mass wine only when he is given a 'permit' or 'Authority.' It does not matter by whatever name you call it, whether 'permit' or 'Authority,' so long as you say, 'To possess this wine, you shall come to me and take permission.' You may say, 'I shall never refuse you permission'; but that is not the point. I have to come to you for permission. Permission for what? Permission to possess this wine, permission to offer worship to my God in the way in which my religion teaches me to do! Catholic priests who have to offer this wine at least once a week have to come to you for permission! That is the objection. As I said before, it is not a case of prestige, it is not a case of sentiment. It is from that aspect I would ask you to consider this question and devise a suitable way of meeting the objection.

"Again, it is said in the Statement of Objects and Reasons that 'It has been represented that if the issue of "Authorities" is made mandatory by the Act instead of permissive, it would meet the objections felt by the Roman Catholic priesthood.' I do not question the truth of the statement made. But, may I know who it is that has represented to the Government that this amendment would meet the requirements and the objections of the Catholics? I should like to know who is the authority that claims to speak

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on behalf of the Catholic priesthood and make this representation to the Government. If there is one organ in our Province which can claim to speak on behalf of the Catholic community and which is the authoritative exponent of the views of the Catholics on matters affecting them, it is that weekly paper *The New Leader*, published here in Madras under the distinguished authority and supervision of no less a person than the Rev. Mathias, the Archbishop of Madras, and edited by that eminent Cleric Monsigneur Thomas, who has been awarded the distinction of being a domestic chaplain to His Holiness the Pope mainly because of his service in the journalistic field, and an estimable person in every sense of the word, except, in my view, for his pronouncedly partial attitude towards the Government and avowed sympathies with the Congress. An article emerging from such a source surely cannot be brushed aside as being merely acrimonious or sentimental. This is what *The New Leader* says:

'We published last week the Statement of Objects and Reasons relating to the Madras Prohibition (Second Amendment) Bill. This week we are publishing a . . . As was pointed out in our last issue, the provisions constitute a step forward in meeting Catholic objections but still it falls short of the demands. Even after the amendment is made it will be obligatory on the part of the bishops to approach Government officials for necessary Authorities for the possession and use of this wine. This will be issued only to whomsoever holding specified religious office . . . What will satisfy us fully is to put sacramental wine on the basis of an exemption from the operation of the Prohibition Act . . .'

"I am reading this out to show that whosoever might have represented to the Government that the amendment which has now been brought before the House would meet the demands of the Catholic community, that representation does not correctly reflect the feeling of the community.

"Next, I wish to deal briefly with another point and try to show how this amending Bill is no improvement at all on the state of things obtaining to-day. The Hon. the Prime Minister said that the first step taken by way of meeting the objections of the Catholic community was this: the word 'permit' was altered into 'Authority.' Is it really so? Does the Hon. the Premier think that the community is so childish as to be satisfied by a mere verbal change like this? Is it not a meaningless paraphrase of one set of words in another set of words, carrying exactly the same meaning? Let us see what the section in the main Act says. Section 20 (*b*) of the Prohibition Act says, 'The Provincial Government or any officer empowered by them in this behalf may issue permits authorizing any person or institution to possess . . .' In the amendment, the words 'permit authorizing to possess,' is converted into 'Authority to possess.' What is the difference between the one and the other? In the one case it is 'permission authorizing to possess,' while in the other case, it is 'Authority to possess.' There seems to be no distinction at

all between these two. Therefore, naturally, the community was not satisfied with this verbal quibble.

" Again the Hon. the Prime Minister says that if this particular clause is taken away from its present position in the Act and placed immediately after section 16, instead of putting it along with other clauses under section 20, it ought to meet the full demand of the community. Section 16 of the Act deals with exemptions in the case of medical wine and things of that sort. Therefore he says, ' I shall take it from clause (*b*) of section 20 and put it immediately below section 16 and call it section 16-A. This, I think, will give satisfaction to the community.' But I submit that we, Catholics, do not want such verbal alterations and transpositions. It does not matter to us, as to the exact place in which this particular clause is to be inserted. What we want is this: we want the right to practise our religion without any interference from anybody and without asking for permission to do so. That is the main objection. If you think that there might be any abuse or misuse of this wine, you may devise any means to prevent that. But in the meantime, give us the right to possess the right kind of wine required for the services. The proposed section 16-A, I submit, does not give effect to the avowed object of this Bill, which is to make the issue of the ' permit ' or the ' Authority ' mandatory rather than permissive.

1. " *The New Leader* says that the grant of the authority is to be made mandatory. I am afraid even *The New Leader* has misunderstood the provisions of the Bill. I am not able to see the mandatory nature of the provision. What does it say? It says:

> ' The Provincial Government shall make suitable provision . . .'

For what?

> ' for issuing Authorities . . .'

What is the nature of the obligation cast upon the Government? Is it for the issue of ' Authorities '? No, it is not for the issue of ' Authorities,' but for making suitable provision for issuing ' Authorities.' I can understand the obligatory portion of the clause if the wording were, ' The Provincial Government shall issue " Authorities " to persons or institutions for religious purposes *subject to such conditions as may be made by the Government.*' That I will admit will make it obligatory for the Government to issue the authority. All that this clause says is that the Government shall make suitable provision for issuing ' Authorities ' to persons and institutions for the possession and use of liquor; but that I submit is not an obligation imposed upon the Government to issue the ' Authority ' itself. The obligation is only with regard to the framing of rules prescribing the conditions and terms subject to which the ' Authority ' will be issued, which does not imply that the authorities shall under all circumstances be issued. I may point out that my interpretation is not far-fetched

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when I turn for instance to the Preamble of the Bill that we referred to the Select Committee yesterday, the Public Health Bill. It reads, ' Whereas it is expedient to make provision for advancing the public health of the Province of Madras.' Every Act is passed for the attainment of a particular object; and as I have explained, the object of the present Bill is not the mandatory issue of the ' Authority ' forthwith, but the framing of rules prescribing the conditions and terms under which the ' Authority ' is to be granted. This ought not to be the attitude of the Government in a vital matter connected with the religious observance of an important minority community. I would respectfully request the Hon. Premier to suitably amend this provision by making it clear and beyond all doubt that the mandatory portion is with reference to the issue of the ' Authority ' and not merely with reference to the making of rules regarding the terms and conditions governing its issue, even if he cannot agree to my other suggestion that mass wine should be an exempted article.

" In conclusion I would appeal on behalf of a minority community, numbering a million out of forty millions of this Province, to view the position from our point of view because it is a matter which affects their daily worship. The sacramental wine is a thing without which the service cannot get on. I am not asking for any favour. I am only asking for our right to practice our religion being recognized. I would ask you just to consider whatever your feelings would be if, before going to the mosque, or to the temple or to any other place to offer your worship, you were required to get a permit or authority from the Government. I would request you to take a just and reasonable view of it and grant us this essential right which every citizen of the Province has a right to expect at the hands of the Government. We ask for no favours. We ask for no grace. What we want is justice and equity at the hands of the Government and I request that the Hon. Premier will sympathetically view the question."

* Sri Diwan Bahadur A. APPADURAI PILLAI:—" Mr. Speaker, I rise to support the previous speaker with regard to the proposed measure that is now under consideration. The Bill falls far short of the legitimate expectations of the Indian Christian community, particularly of the Roman Catholic community in this Province. It has been their insistent demand that sacramental wine should be exempt from the provisions of the Prohibition Act. This was their contention when the Prohibition Bill was on the legislative anvil, and it is unfortunate that it still continues to be their contention. Sacramental wine is a special preparation not partaking of the nature of wine, nor is it an intoxicant. It is a preparation intended solely for purposes of worship. I may add, Sir, that without partaking of that wine, it is not possible for the priest to perform the mass, and the mass is being performed

everyday for the benefit of the worshipping humanity. Such being the case, the Bill that proposes to give ' permission ' in the matter of possessing wine for religious purposes through an ' Authority ' granted by the Government would not satisfy the requirement of the community. I cannot persuade myself to think that the Hon. Premier is not aware of this contention. I do not believe that he ever considered that a mere change of the word ' permit ' into ' Authority ' would satisfy a community like the Indian Christian community. They are a minority community; but they are intelligent enough—I would not say, shrewd enough—to know that the change does not involve any substantial concession, but that it is only a case of a distinction without a difference. What has been hitherto authorized to be done under the name of permits is to be continued to be done under an Authority. What is wanted by the community, Sir, is an exemption from the provisions of the Act. There are precedents both in the Bombay and Bihar legislation, where the Governments concerned readily granted such exemptions. With these precedents before him, that the Premier should still persist in not granting the little concession that is asked for by the Indian Christian community in general and the Roman Catholic community in particular, seems, I submit, inexplicable.

" Turning to the Statement of Objects and Reasons, one cannot help drawing the inference that the members who are interested in this measure have not been taken into confidence. In paragraph 2, it is stated that ' It has been *represented* that if the issue of " Authorities " is made mandatory by the Act instead of permissive, it would meet the objections felt by the Roman Catholic priesthood.' The Government say, ' It has been represented . . .' It is not clear on what basis this statement has been made. I do not question for a moment the *bona fides* of the Hon. Premier's statement. I shall not do that. But I say that it would have been much better if he had stated the basis for his statement. In the Statement of Objects and Reasons, further on it is stated, ' It is also understood that if the provision were entirely dissociated from the permits for beverage purposes, with which it is now connected in section 20 of the Act, and embodied in an entirely new section of its own, the objection to the present system, which is largely sentimental, would wholly disappear.' I cannot guess on what ground they have given expression to this view. I am sure that the Hon. Premier would concede that the mere change of words would not satisfy the legitimate requirements of the Catholic community. I have the honour to represent in this House a very large number of Catholic voters and I find it my duty to express their view before this House.

" Clause 16-A according to the present Bill is to take the place of section 20 (*b*) of the original Act. According to section 20 (*b*), the Provincial Government may issue permits autho-

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rizing any person or institution to possess and use any liquor for any religious purpose in accordance with ancient custom. But according to the Bill before us the Provincial Government have to make provision for issuing 'Authorities' for the possession and use of liquor that may be required for *bona fide* religious purposes in accordance with ancient custom. Reading these provisions side by side, Sir, my conclusion is that the proposed clause goes further than the original provision in restricting the privilege that the Catholic church enjoyed. The phrase '*bona fide*' has been inserted before the word 'religious.' I do not know for what purpose the Hon. Mover of the Bill has thought it fit to insert this phrase. On a casual reading of the provision, it seems to me that care has been taken to restrict the application of this concession further than what the original Act intended. If wine was intended for religious purposes, permit would be issued under the existing Act; but under the proposed Bill the 'Authority' is to be issued only if it is required for *bona fide* religious purposes.

"Sir, this connotes, in my humble opinion, a further restriction placed upon the free use of sacramental wine by the priests of the Catholic church. Sir, it would be within the recollection of hon. Members that when the Prohibition Act was before the Upper Chamber for approval, a Member of that Chamber, Mr. Saldanha, brought forward an amendment asking for this concession. But somehow or other it was not possible to carry it through. Now I submit, Sir, that the demand of the Catholic community will not be satisfied with anything short of an exemption such as that granted in the case of other provinces like Bihar and Bombay. A mere change in the term, or nomenclature, from 'permit' to 'Authority' would not meet the demand of the Catholic community. Sir A. T. Pannir Selvam who spoke before me quoted from an article written by Monsigneur Thomas in *The New Leader*, which is the accredited organ of the Catholic community in this Province. The editor has described there how the proposed Bill will not satisfy the demand of the Catholic community, and he has appealed to the legislators as well as the Government to go a step further and grant exemption instead of making arrangements which are at best only palliative. There has been a denial of a privilege, which has been long enjoyed by the community without let or hindrance. Instead of removing that denial, which has been agitated over and over again, we are trying to have recourse to palliatives by the issue of 'permit' and 'Authority.' Finally I would appeal with all the emphasis I can command to the Hon. the Mover of the Bill to take a step forward and grant the exemption asked for, instead of going about beating about the bush, introducing 'permit' and 'Authority.' With these few words, I heartily support the remarks made by Sir A. T. Pannir Selvam."

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* THE HON. SRI C. RAJAGOPALACHARIAR:—" Sir, again I must express my surprise at a Bill which I had thought would be welcomed, or at any rate, would meet with no opposition whatsoever. It has been criticized, though not opposed, as if it contained lurking dangers. But I must be prepared for every surprise (Laughter) and so I will say, I am prepared for the surprise. The last speaker asked us not to be beating about the bush, but to proceed forward. Let me understand the proposal. We have prohibition. It is requested and it is felt that exemption is necessary in order to provide for the use of sacramental wine by priests, and both sides are agreed on that programme. How can a Government proceed forward without beating about the bush to give exemptions? (Laughter.) Is the Act to state the names of the various priests who might have the exemption? Or is the Act to state that such and such institutions which are not Governmental institutions, but which are religious bodies, may grant exemptions? Or is the Act to state that any priest may possess sacramental wine, if he says so? If he says simply that he possesses sacramental wine, does it mean that nobody should touch it? Which authority is to recognize as to who is a priest and who is not a priest? Or is it to be left to the mere general knowledge of the people, without any organized arrangement made for it? I respectfully submit that such a proposal is inconceivable, I will say, impossible, in any legislative arrangement.

" The only other alternative left for the Government is to make provision for the issue of such exemptions. Exemption may be made in favour of sacramental wine; it does not matter, to whom. It is quite possible, if we can, to have denatured alcohol for sacramental wine. But that is not conceivable in mass wine, which the Roman Catholic Church uses; because they have a special regard for a particular kind of wine, which is imported from Rome, or from countries authorized by the Pope. Thus, for sacramental wine, various kinds of wine are used; and all these are not intended to be administered as wine for beverage purposes, as intoxicants; I admit that. But it is well known, and the hon. Member who spoke criticizing the Bill will also admit that mass wine can be used for beverage purposes. Take denatured wine: it is a kind of wine; it is a kind of weak wine. And even that wine, like other liquors, we are prohibiting. For instance, take our own toddy; it contains 8 per cent of alcohol; beer has 4 per cent of alcohol. And mass wine may have a little more than that; and thus it can be used for beverage purposes. New, the action that the Government have taken with respect to exemption, is not needed in the case of good people who will observe things quite properly. It is needed more against those people who take advantage of these things. Therefore it is necessary to provide for checks of some kind. If a particular article is exempted, it can

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be used for the purpose of defeating the very Prohibition Act; and so it has to be controlled. This is admitted by all; and that is why some kind of provision has to be made for the issue of permits; some authority has to be constituted, call it by whatever name you like, it must be controlled in a manner without offending anybody, without inconveniencing anybody and without giving room for abuse. This is not a new thing. In America where they introduced Prohibition, they had a larger number of people who needed sacramental wine than there are here; provisions of the same nature were also made. And I might say, here, for the information of hon. Members who may not be aware of these things, that in the United States, the Prohibition Act required that the dealer in sacramental wine should possess permits for his transactions, and that ministers and clergymen should have an application approved by the Administrator, when they desired or required to purchase sacramental wine. The term 'application' is defined as a formal request supported by a verified statement of facts saying that the Commissioner may grant the request. All these inconveniences were submitted to there. Even that Government's report shows that after some time, they found an enormous amount of abuse. And this is what I find: 'The distribution of sacramental wine has resulted in diversion to beverage use of wine in big cities.' Then it goes on to say that according to the Jewish faith anybody can distribute sacramental wine. Finally it says, 'However, up in New York City, unfortunately, the man who was charged with the granting of these permits, either through failure to understand or through sympathy with the bootleggers, did not co-operate. And it was three months, or in April, before we found that he was still working on the old basis. Then he was relieved, and since then, sacramental wine issued in New York City has dropped down until it is a negligible quantity, and it will remain so.' Whether it remained so or not, is another matter. I submit it was the intention of the people who objected to the language of the Prohibition Act, as it stood, to say that there should be no arrangement for free distribution of sacramental wine.

"Now, I have not been simply remaining quiet after the Prohibition Act was passed. Sir Pannir Selvam said that at the time of the passing of the Prohibition Act, I was in a hurry; that now I am not in such a hurry, and therefore he asked me to think it over and do it well. I submit I have not been doing anything else. It is true that Sir Pannir Selvam gave some explanation as to why he did not give notice of an amendment to this Bill and at the same time as to how he thought it necessary to point out the defects in the measure. As I said, I was not simply idling away my time after the passing of the Prohibition Act. I have met many friends of the Roman Catholic faith ever since the Act was passed; I have met them on the most

cordial terms and I have discussed with them on the most friendly terms; and it is the result of that, that has been put down in the Statement of Objects and Reasons. But I did not want to commit any one to this: only the Government shall be committed to it. As Mr. Appadurai Pillai said, the *bona fides* of the statement is not questioned; it is only the authority of the person who said that is questioned. I do not wish to claim that the community is committed to consent to this Bill; all that I say is, we have made a very genuine, complete and earnest attempt to meet what has been represented to us from time to time. I have met the Archbishop of Madras; I have met His Excellency the Metropolitan Authority, whose headquarters is at Bangalore; I have discussed with a very ardent friend, a friend who has come from Allahabad, who is probably very much keener, who is much keener than many priests; we have fully discussed and he has stated—and not only he, but others also have stated, what has been put in the Statement of Objects and Reasons. They strongly objected to the term 'permit.' They said, 'This Government may be all right; who knows, what kind of officer comes to the districts; who knows who will be in charge of Government after some time? So we want something more than "permit".' It is not I that imagined that there will be objections to 'permit.' I argued with them many a time and said that there was nothing wrong in the term 'permit.' They said, when the Madras Abkari Act was in force, before the passing of the Prohibition Act, there was no special exemption for sacramental wine and no special law put forward to meet the requirements of religion; and there was no special permit set up then. It is only in the Prohibition Act it is found necessary. I pointed out to them that the term 'permit' did not convey any disgrace with it, and I showed many places in which 'permit' was used without any inconvenience or feeling of a deragatory character. But they were not satisfied. They said, 'There is something objectionable in the word "permit".' Quite sentimental, of course, I admit that; and I agree with Sir Pannir Selvam that it is difficult to define 'sentiment' in religion. 'Sentiment' is a wide term including religious ideas also; and it is only in that sense that the term 'sentiment' is used in the Bill. It is not necessary to go into the question of religious dogma to show what it is. All that the Government considered was that members of a particular community felt that a certain thing was necessary, and their sentiment came in this way. There was a convincing case to show that there was not the slightest inconvenience felt under the existing rules. I showed them the rules and also the application; I showed them there was no inconvenience, and I showed them the testimonials of many priests. But they said, 'That is not enough; there is something more than that; whatever it may be, we do not like the term "permit."' Therefore the word 'Authority' was invented

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by me, not imagining that other people did not understand the situation. It was wrong, I beg to submit, to impute to me that 5-3 p.m. the community was so easily gullible that with the word 'Authority' I should get popularity for myself. I did not introduce it for popularity or in a scheme for deceiving people. I introduced it because I considered it reasonable and proper that sentiment should be taken into consideration. It is not as if there is nothing in it at all. There is great difference between 'pass' and 'Authority.' I submit that we have done well in using the word 'Authority' for religious purposes instead of calling it 'pass,' 'licence' or 'permit.' In all other Legislatures the words 'licence' and 'permits' are used. It is for the first time here that the word 'Authority' is used. Not that there is nothing in a name. 'Authority' is a concession of character for the purpose for which it is used. It was repeatedly urged on us, especially by people of Roman Catholic denomination, that there were people who might place them in difficulties and therefore they should not depend merely on the district officers' permission, but that there might be a mandatory clause in the Act. That is exactly what we have made. Reference was made by those who came to us to the provision in the Bihar Prohibition Bill. It was still a Bill and at that time I sent for it and we saw it. The Bihar Bill contains a section—it has now become an Act—I think it is section 32, which says: 'The Provincial Government may, by notification, declare that liquor required for *bona fide* religious purposes to be specified in such notification shall be exempt from all or any of the provisions of the Act subject to the restrictions that may be specified in such publication.' I submit the provision we are giving is superior. The provision in Bihar is: 'The Provincial Government may declare.' Here, 'The Provincial Government shall make a suitable provision.' It was stated and argued seriously that the Government here was bound to make a suitable provision for making 'Authorities,' meaning an officer or organization ready-made, that and nothing more. Surely it is not that. It means that suitable 'Authorities' shall be given by the Provincial Government. There is no doubt about it. The Provincial Government itself cannot make 'Authorities.' It can only give a provision; it is with that intention, and not with the intention of taking away with one hand what is given by the other? As regards terms and conditions, they are both in the Bihar Act and here. In Bihar we have got 'may.' Here we say 'shall issue.' Again the word '*bona fide*' is there also. Surely, '*bona fide*' is not to be objected to in the Prohibition Act as it stands. It is restricted to *bona fide* because the word 'permit' is there and the authorities have to permit for religious use and licences were issued under permits. Here, as we make it mandatory, we have to restrict it to *bona fide* purposes and exclude the abuses of it, because for the first time we are making it mandatory. It was stated that it is a matter of religion, that therefore it is a right

and should be conceded. I have already conceded that. I readily and at once concede that those that want a thing for religious purposes are entitled to have it. I concede it straightaway without any qualification or mental reservation. But surely it must be granted on the other side without qualification, that especially in cases where the particular article is an article which can be used for beverage purposes, and since such an article has been selected for whatever reason, the Government should also be conceded that the checks and cautions they desire will have to be provided for. I submit there should be no doubt or hesitation in the passing of this Bill in spite of the criticism that has been levelled against it by the two hon. Members who spoke. I only assure them that not the slightest inconvenience will be felt by any members or by any one professing the faith of the Christian Church in regard to the use of sacramental wine for purposes of custom, and nobody will have any cause for dilatoriness in the grant of these. That assurance I can give on behalf of the Government, on whose behalf I move this Bill."

The motion was put and carried and the Bill was submitted to the House clause by clause.

Clause 2.

Clause 2 was put and carried.

Clause 3.

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—" I raise to move the amendment, notice of which I have just now given—

'*to delete the phrase* " bona fide " *appearing in line* 5 *of new section* 16-A *before the words* " *religious purpose.*'

" I have already stated my point of view with reference to this amendment. I submit the words '*bona fide*' do not find a place in the present Act. Clause (*b*) of section 20 of this Act which refers to this matter only says ' for any religious purpose.' My submission is, Sir, that the very fact that the wine is required for religious purpose connotes that the request is *bona fide*. Further the grant of an ' Authority ' is subject to such terms and penalties as may be prescribed under the new clause. No one with eyes open would make an application except for *bona fide* purposes. He knows full well, Sir, that it is subject to the conditions contemplated in the proposed clause. That being the case, I respectfully urge on the Hon. the Mover of the Bill to drop the words '*bona fide*' that have now been inserted in the Bill. No doubt we find in the Bihar Bill that has just now been read out by the Hon. Premier the phrase *bona fide*. But there is this vital difference between the Bihar Bill and the present clause. In the Bihar Bill the exemption is not mandatory; it is only permissive. The Government *may* grant; and if

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it is permissive it is very necessary and it is in the fitness of things that the granting authority should take very good care to see that the purpose for which the concession is applied is *bona fide*. But here the Bill makes the grant of 'Authorities' mandatory. There seems to be no reason, therefore, for further restricting the condition by the use of the words '*bona fide*.' With this submission, Sir, I hope that the amendment would command itself to the Hon. the Mover and I respectfully urge the deletion of the words '*bona fide*'."

* RAO BAHADUR SIR A. T. PANNIR SELVAM :—"Mr. Speaker, let me assure the House that my objection to the wording of this Bill is raised not in any critical spirit or for the sake of mere opposition. I honestly think that the wording, as it is, is capable of that interpretation which would not advance the position an inch further than what it is to-day. Even if this provision is altered as I would like it to be altered, I would claim and say that we are entitled as a matter of right to have the exemption, in spite of the difficulties which the Hon. Mover enumerated in his speech. We do not claim exemption for 'mass wine' as such; we do not claim exemption for our priests as a class. Our demand is for a combination of both; "Mass wine"—a definitely ascertainable kind of wine to be possessed, by the Catholic priesthood—a definitely ascertainable class of persons. Both these are definitely identifiable. 5-4 p.m.

"Sir, with a view to preventing the misuse of the wine, we are willing to agree to any number of restrictions or rules that may be prescribed as regards its use. You can say that every priest should be under an obligation to maintain accounts as to the quantity which he keeps and the quantity that is being used day by day. No priest would require more than two ounces a day. It may be that on particular days a priest has got to celebrate a festival in connexion with his Church and has to invite half a dozen priests from the surrounding places to assist him. On such occasions the local priest will have to supply the necessary mass wine for the services to be conducted by the visiting priests. He should be enabled to do that. You can ask him to keep accounts and you may have a special officer, if you like, to inspect these accounts. The priests will give you all the help you require to see to it that there is no misuse of the wine. Therefore, I submit that the difficulties which the Hon. Premier anticipates from the grant of these exemptions in the successful enforcement of the Prohibition Act are more theoretical than practical.

"As I read this Act, it does not cast an obligation on you to issue an 'Authority.' It only says: 'You shall make provision for it.' You have not made provision for the issue of permits in section 20. But this Bill makes provision for it. Does it mean

that the issue of permits is obligatory? The section says that the Government shall make provision for the issue of an ' Authority.' It can only prescribe the rules and say that permits may be issued under such and such rules and conditions. The issue of permits has not been made obligatory. The Hon. the Premier has no doubt given us an assurance to-day that as long as he occupies that seat there shall not be any difficulty felt by the Roman Catholic community. I accept that assurance and grant that there will be no trouble as long as he is there. But, I ask, with the law as it is, what prevents succeeding Governments from differently interpreting the Act and removing the obligation to make provision for the issue of ' Authorities '? I would earnestly appeal to the Hon. the Premier to consider if he cannot at least alter the wording. I am not moving an amendment, because it is not a case of my being able to force my views on the other side. I am merely suggesting whether it would not be better to say: ' The Provincial Government shall issue " Authorities " to persons subject to such terms and conditions . . .' It need not be exemption. You can impose conditions when you issue ' Authority ' to persons and institutions to possess wine. That will make the matter beyond doubt. As it is, with all due respect to the legal interpretation placed on it by the Hon. the Premier, I consider that it is capable of this interpretation; that the obligation on the part of the Government is in the matter of prescribing the method and the conditions under which permits can be issued. It does not cast an actual obligation to issue an ' Authority.'

" One other point: We should like to know exactly why the phrase ' *bona fide* religious purpose ' has been introduced now. If it had found a place in clause 20 (*b*) and had been bodily transferred on to this section, we might not attach any importance to it. The suspicion arises as to why when it is not there in section 20 (*b*), it has been for the first time put in here. As far as the Catholic point of view is concerned we are definitely willing to agree that the wine will not be used for any other religious purpose than the purpose of the mass. For other services no wine is needed. Is there any suggestion that any Catholic priest celebrates mass in any other spirit than *bona fide?* It seems to me therefore that this phrase in that clause is superfluous."

* THE HON. SRI C. RAJAGOPALACHARIAR:—" The amendment that is proposed, Sir, is that the phrase ' *bona fide* ' should be deleted from this clause. Now, Sir Pannir Selvam wants to know what there is in our minds that caused the introduction of this phrase which was not there in section 20 of the Act. I thought I had explained it when I spoke last; but since he has raised the question again—and in a matter of religion if we leave these doubts unanswered because they are only repetitions, it is very likely to lead to the general impression that we

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have not cared for religious sentiments—I must repeat what I said already. Section 20 of the Act as it stands, says:

'The Provincial Government may issue permits authorizing any person or institution to possess and use any liquor for any religious purpose in accordance with ancient custom.'

And the rules provide under what conditions and in what forms they should be given. Now, when power is given to the Provincial Government to issue permits at their option, it is unnecessary to say that they shall issue permits only when they are satisfied that the liquor is wanted for a *bona fide* purpose. But when under the present measure we propose to say that the Provincial Government shall make suitable provision for issuing 'Authorities,' we cannot simply leave it to all persons. We are giving the right to the priests to claim 'Authorities' to be given and, if there is refusal, we have to prove that there is no *bona fide* purpose. The priests can even go to court and say that the 'Authorities' are not functioning properly under this clause. Therefore we have to say here that it can be given only for *bona fide* religious purposes. Therefore, the addition of the words '*bona fide*'' here is necessary. What was permissive has been made mandatory here. That is the reason why the words '*bona fide*' has been introduced here. I hope I have made the matter clear enough.

"I wish, however, to explain further. This discussion has no doubt turned principally round the requirements of the Roman Catholic community. But neither section 20 of the Prohibition Act nor clause 3 of the present Bill deals particularly with the Roman Catholic community. It is not open to the Government to legislate for a particular community and it is not easy and not desirable. One section for each community will make a large number of sections in any Bill. Therefore, it is necessary to find out a general principle. The general principle on which the claim of the Roman Catholic community is based is this: that wine is wanted for a religious purpose, for a *bona fide* religious purpose according to custom, and not merely intended to evade the provisions of the Prohibition Act. Now, the language of both the old section and the present clause is this: 'The Provincial Government shall make suitable provision for issuing "Authorities" to persons and institutions for the possession and use of such liquor as may be required by them for any *bona fide* religious purpose in accordance with ancient custom . . .' No particular community, whether Christian, Muslim or Hindu, is referred to here. The purpose should be definite and should not be a new invention. It should not be merely for indulging in drink, for instance. It may well be that some people belonging to the Hindu community may think that some sweet delicious things should be available in temples for distribution to them as *prasadam* after worship. But yet it could not be said that it is necessary. It cannot be said that if anybody says that he wants a

particular thing, irrespective of the existence of the Prohibition Act, he should be enabled to have it. Therefore we have to use a phrase like this to describe the principle that we accept, and that is why we say here, ' for any *bona fide* religious purpose ' of whatever community it may be, in accordance with ancient custom. That is the reason behind the phraseology that is employed in this as well as in the old section as it stands. The phrase ' *bona fide* ' is introduced here for the reason already stated, viz., what was permissive has become mandatory here. That is why I have to oppose Mr. Appadurai Pillai's proposal that the words ' *bona fide* ' should be omitted.

" As regards what has been reiterated by Sir Pannir Selvam, though not in the form of an amendment, that it is doubtful, as the phraseology now stands in this clause, whether the Provincial Government should issue ' Authorities, ' it is a most unnecessary apprehension. In spite of all that I have stated, he went on to say: ' You may do it, but it does not bind anybody else.' In reply I can only tell him that he will be able to point out all the circumstances stated here to that anybody else. He also said that any new Government may repeal this Act. Very likely. Some new Government, I am sure, will repeal this Act with all haste, because they would want money. Let us not talk of new Governments, but let us talk of the language of the section.
5 p.m. The section says : ' The Provincial Government shall make suitable provision for issuing " Authorities " to persons, etc., etc.' What does it mean? It means that we will have to make rules, because it is not the Government that will issue the ' Authorities ' and therefore, delegation rules will have to come in, in connexion with the issuing of those ' Authorities. ' So I submit there is no danger. there is no mischief and I repeat it here. Since the Provincial Government cannot issue individual ' Authorities, ' all that they can do is that they will have to provide for such ' Authorities ', being issued, by framing rules. Therefore, if power is taken under this clause for framing rules, it does not mean that the power that existed already in the original section is not there now, and it is not correct to say that this new clause has been framed on that basis and it is therefore mischievous. I submit that hon. Members opposite need have no apprehensions with regard to this matter. I say that this is not the meaning of the section at all. Deliberately we have changed the section, which was permissive in character previously, into a mandatory one and have, therefore, used the word ' shall ' here. The clause reads: ' The Provincial Government *shall* make suitable provisions, etc., etc. ' ' Suitable provisions ' means provisions not provided for in the Act. ' Suitable provisions ' means provisions for setting up an organization, in order to delegate the mandatory authority so that it may issue the ' Authorities ' in certain forms and conditions prescribed under the Act. Therefore, there is no room for apprehension.

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"As regards the amendment that has been proposed, I submit that I am not able to accept it, and I will only add that the word '*bona fide*' does not infuse any danger whatsoever, and it cannot do so. Any religious purpose is a *bona fide* purpose. But since the clause has been made mandatory now, we have used the word '*bona fide*.' Instead of saying that 'if a person travels in a railway train without a ticket, he shall be punished, etc., etc.,' we usually say that 'no *bona fide* traveller with a ticket shall be punished, etc., etc.' The usage of the word '*bona fide*' in the clause under discussion is something like that. It does not mean that we suspect the traveller. So, I submit I cannot accept the amendment."

The amendment was put and lost.

Clause 3 was put and carried.

Clause 4 was put and carried.

Clause 1 was put and carried.

The preamble was put and carried.

* THE HON. SRI C. RAJAGOPALACHARIAR:—"Mr. Speaker, Sir, I move—

'*that the Bill be passed into law.*'"

* ABDUL HAMEED KHAN SAHIB BAHADUR:—"Mr. Speaker, if I should get up to speak on this motion, I do so with a mixed feeling. The thing that stands in my mind foremost is my desire to see that prohibition is introduced in this Province fully and completely and in a perfect manner. It is my duty to support any measure which any Government may bring forward with a view to perfect the machinery and to make the rules as hard and as difficult, so that they may make prohibition a perfect success in this Province. But at the same time, I am equally jealous that my religious rights should not in any way be encroached upon, or interfered with by any authority in any manner whatsoever, or whichever Government might be in power, or however powerful it might be. I may say in this particular connexion, that when I see that two or three Christian members of this House, who are my fellow countrymen, have taken serious objection to the method adopted by the Government to take away what they consider to be their legitimate right, it is a very delicate ground that the Government is treading upon. It might be to-day that the Christian community is denied its religious right—so far as they claim it to be their religious right—on the floor of this House. Now, two members of the Christian community have come forward and represented to the Government that it is wrong and improper for them to take away what they claim to be their religious right. It might be that it is the members of the Christian community that complain to-day. It will be another community to-morrow and a third minority community the day after. So it seems to me that

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one community after another is getting an attack at the hands of the Government, which is, to say the least, a wrong policy for the Government to adopt. The Government may have their own views with regard to their power and with regard to their right to interfere with the religion of the people or take away the legitimate rights of minorities or majorities. Whatever their views might be, I wish to warn the Government that they would certainly be interfering with the religious rights of particular communities if they do not recognize their feeling on questions concerning their religion. I wish that the existing constitution contained a wholesome provision relating to certain institutions in this country. I am for incorporating a wholesome provision in the existing constitution, by which, if the religious rights of any particular community were to be taken away by the Government, it should be made incumbent on the part of the Government which wishes to introduce the legislation to find out whether three-fourths of the members of that community are in favour of that legislation. If a majority of three-fourths or two-thirds of a particular community are not in favour of the particular legislation in question, the Government should at once give up that legislation. Unfortunately such a check is not existing in the present constitution. In the absence of such a check, what should weigh with the Government now is the ethical or the moral check—a check which will help them to continue to remain in office even after the period of five years. I thought that this check was a very necessary check and that it would be taken notice of by the Government, but I am afraid it has not been taken into account. If the words of my two hon. Friends, Messrs. Pannir Selvam and Appadurai Pillai, two elderly gentlemen (Laughter), whose words, so far as their religion is concerned, should weigh considerably with the Government, do not matter to them, I am afraid the Government do not care to pay heed or regard to the religious principles of that community."

* THE HON. SRI C. RAJAGOPALACHARIAR :—"More and more surprise is the rule, Sir. Once again a sudden attack has been made on the great fault of the Government in having legislated this measure and taken away the rights of religious minorities, without due regard to the established principles accepted by many non-official bodies in this country. It has been pointed out that nothing should be done to interfere with religious matters unless in a deliberative assembly two-thirds or three-fourths—I would add by increasing the fraction given by Mr. Abdul Hameed Khan —of the members of the minority community in that institution agree. I am surprised how reason can fail when Government is to be attacked. What is the religious right that we have taken away or sought to take away? What is the religious legislation to which Mr. Abdul Hameed Khan wants to apply the three-fourths of the minority members' rule? I am asking Mr. Abdul Hameed Khan to solve a little mathematical problem for me on

this occasion. Suppose all the members of the Roman Catholic community in this House do not object to this measure, and supposing three-fourths of the members of another community here say, 'You are investing everybody with authority or licence and thus our religion is being interfered with'; I ask, 'Where are we to end? Are we to begin and dispose of the question of adopting the principle of three-fourths majority, in deciding certain questions, in this manner?' It may lead to such absurdities as those mentioned above. But I am not putting it so absurd as that for this reason, viz., that no such problem has arisen here.

"It is not difficult to solve the problem before us, because I believe that what we are doing is not interference with religious rights. If I want to change any religious observance or rite, and if it is contended that such a change affects one particular community, meaning thereby that it affects that community and that community alone but does not affect other communities, then this rule of three-fourths majority must be followed. Now all of us agree that a certain poison should not be sold without licence, and that its use should be regulated. If any particular community chooses to say, 'My community wants this article for a particular purpose', the rest of the communities are entitled to ask the former, 'What are the methods by which we can solve your difficulties'? And it is not right for the former community to say, 'We shall make no alteration in the existing rule about this poison, because we want this poison for a certain purpose.' Therefore, I submit that the proposed amendment only seeks to carry out the different objects in view without interfering with the religious rights of any particular communities. There is no reason why we should adopt the principle of having a three-fourths majority in this case. In no institution I know of, has this rule been recognized for purposes of this type.

"The last thing that has been said by Mr. Abdul Hameed Khan is wholly unreasonable. Though I am really surprised, there is no reason whatsoever for anybody to fear that this Government will attack one community after another. On the contrary we only wish that community after community should not attack the Government. I hope that community after community will not follow the wrong process of taking a religious strand or fibre from everything. In this unfortunate world things are so mixed that out of everything you can extract a religious strand or a religious fibre and make weapons, or even dangerous weapons, of it.

"What can we do without touching some religious point? On 6
the one hand it is pointed out that liquor is wanted for certain religious purposes. Who denies it? It is not wrong at all. Spirits are wanted for various purposes, for stoves, for engines, etc. Wrong-minded people are trying to drink methylated spirits. Drinking is bad; if liquor was available everywhere on licence,

at moderate prices, there is no danger in allowing these exemptions and distributing it. But since we have probibited liquor, it has become a very precious article. It has become a thing for which a man will pay ten rupees now where he paid only one rupee before: he does not usually have it; it can be got only occasionally. Then he would like to pay any amount; his friends also would gather and would pay; there is greater danger arising out of the prohibition of liquor. The *bona fides* of priests and bishops and of laws and regulations are perfectly reliable; but the article has become more dangerous; the article has become very precious; it can command a higher price, in return for it; there is now enhanced danger. If there was gold everywhere now, we need not lock up our safes. If, suddenly, money becomes very scarce, we have to lock up our safes, we have to lock our doors and keep the money safe. In the same manner, liquor has become a prohibited article. Therefore, anything that is used for industrial or religious purposes, can possibly be used for beverage purposes by wrong-minded men. There is no interference with religion at all here. It is not the intention or programme of this Government or of any Government that hopes to function in this country.

" I hope the Bill will be passed into law."

The motion was put and carried and the Bill was passed into law.

VI.—THE MADRAS MINOR PORTS FUND BILL, 1938.

*THE HON. SRI C. RAJAGOPALACHARIAR:—" I have been informed by the Leader of the Opposition that as hon. Members on his side had expected that the Temple Entry Bill would be taken up now, they had not prepared for the Minor Ports Fund Bill, and that other business might be taken up. The Minor Ports Fund Bill might be taken up to-morrow."

M. AHMED BADSHA SAHIB BAHADUR:—" We can go on with the Bill."

*THE HON. SRI C. RAJAGOPALACHARIAR:—" I leave the matter to the hon. Member and to you, Sir."

VII.—THE MADRAS DISTRICT MUNICIPALITIES AND LOCAL BOARDS (AMENDMENT) BILL, 1938.

*THE HON. SRI B. GOPALA REDDI:—" Mr. Speaker, I beg to introduce the Madras District Municipalities and Local Boards (Amendment) Bill,[a] 1938, which stands in my name, and move—

' *that the Bill be taken into for consideration at once* '."

[At this stage Mrs. Rukmini Lakshmipathi (Deputy Speaker) took the chair.]

" I may say that we are only regularizing what has been the practice for the last four or five years. We are not appointing new officers nor are we taking more powers. As the District

a Published in the *Fort St. George Gazette*, dated 22nd November 1938.

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Municipalities Act and the Local Boards Act stand at present, they do not contemplate the undertaking of generation, transmission, supply and use of electrical energy. Now, more than twenty municipalities have already undertaken the transmission and use of electric energy; many panchayat boards also have taken electrical undertakings; therefore, it is found necessary to put in a suitable section to empower these municipalities and local authorities to take up these undertakings. The Bill is a non-controversial one, comprising only of three sections. The second section deals with the District Municipalities Act. We definitely say that wherever a municipality has undertaken electrical production or transmission or supply or use of electric energy, the Government will ultimately control the municipality, by asking it to appoint the necessary staff to supervise the work. For instance, we are seeking power to ask the municipality to appoint an electrical engineer. In the year 1936 the Madras Government constituted the Madras Local Authorities Electrical Engineering Service by straining a section in the District Municipalities Act. It was also thought doubtful whether, under that section, we can take power to appoint municipal electrical engineers for these municipal undertakings. What has been in force for the last three years since the constitution of that special service, we are regularizing now. Some panchayat boards have already taken such undertakings and there is every prospect and possibility of district boards also taking up these undertakings, because it will certainly fetch them enormous profits.

"We are taking this opportunity of regularizing another matter, to appoint more than one district board engineer for a district, where there is only one such engineer now. Under the present Act we have power to appoint only one district board engineer and one panchayat officer. In heavy districts it is found necessary to have more than one district board engineer and more than one panchayat officer. Now that all the district boards that were bifurcated have been amalgamated, it is found necessary in districts like Tanjore, Coimbatore, Vizagapatam, etc., to have more than one district board engineer. By straining the section in the present Act, I may be permitted to say that we have already appointed additional district board engineers for the abovementioned districts and Ramnad. Owing to the increase in the number of panchayat boards in the districts, it is found necessary to have more than one panchayat officer, especially for districts like East Godavari and Guntur. We are taking advantage of this opportunity to provide for that contingency also. I may therefore be permitted to introduce the Bill, and I move that the Bill may be taken into consideration at once."

The motion was put and carried.

Clause 2 was put and carried.

Clause 3 was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

* THE HON. SRI B. GOPALA REDDI:—" I move—

' *that the Bill be passed into law* '."

The motion was put and carried and the Bill was passed into law.

VIII.—THE MALABAR TENANCY (AMENDMENT) BILL, 1938.

6-30 p.m. THE DEPUTY SPEAKER:—" I call upon the Hon. Mr. Prakasam to move the Malabar Tenancy (Amendment) Bill."

* THE HON. SRI C. RAJAGOPALACHARIAR:—" The Hon. Member in charge of the Bill desires that it should stand over."

IX.—MOTION *RE* AMENDMENT TO SCHEDULE V TO THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920.

* THE HON. SRI B. GOPALA REDDI:—" Madam, I beg to move the following resolution that stands in my name—

' *that the following draft of a rule proposed to be made by the Government of Madras under section* 305 *of the Madras District Municipalities Act,* 1920 (*Madras Act V of* 1920), *amending Schedule V to that Act be approved*:—

Draft Rule.

In clause (o) of the said schedule, the word " the " occurring before the words " wholesale trade " shall be omitted.'

" I come again to another non-controversial matter. It is only to remove the definite article ' the ' before the words ' wholesale trade.' It has been the subject of litigation some time back, and the Revenue Divisional Officer of Calicut has given a decree against the municipality with the result of a loss of more than 200 rupees to the municipality. It was held that because ' the ' is there, before ' wholesale trade,' it gave quite an opposite meaning to that which was intended either by the municipality or by the Government. Legal opinion seems to be in favour of deleting the definite article ' the '. Therefore I beg to move that the definite article ' the ', before the words ' wholesale trade ', be deleted."

[At this stage Mr. Speaker resumed the Chair.]

The motion was put and carried unanimously.

X.—LEGISLATION BY THE CENTRAL LEGISLATURE FOR THE REGULATION OF CERTAIN MATTERS IN RESPECT OF DRUGS AND MEDICINES ENUMERATED IN THE PROVINCIAL LEGISLATIVE LIST.

* THE HON. DR. T. S. S. RAJAN :—" I beg to move the resolution standing in my name, viz.,

' *that this Assembly do resolve that it is desirable that—*

(1) *trade and commerce within the Province in drugs, medicines and biological products,*

(2) *the production, supply and distribution of drugs, medicines and biological products,*

(3) *the adulteration of drugs, medicines and biological products,*

(4) *fees in respect of the matters mentioned in clauses* (1) *to* (3),

(5) *inquiries and statistics for the purpose of the matters mentioned in clauses* (1) *to* (4),

(6) *offences against laws with respect to the matters mentioned in clauses* (1) *to* (5), *and*

(7) *jurisdiction and powers of courts with respect to the matters mentioned in clauses* (1) *to* (6),

which are among the matters enumerated in the Provincial Legislative List, should be regulated in this Province by an Act of the Central Legislature.'

" The history of the facts contained in this resolution is briefly this: The Drugs Enquiry Committee, which was appointed by the Central Legislature in the year 1930, formulated certain proposals for prevention of adulteration of drugs imported and sold in India. Although it is seven or eight years since the Committee submitted its findings, the Central Legislature had taken no action thereon till very recently, when it introduced a Bill last year in the Central Legislative Assembly to the effect that action should be taken with regard to the adulteration of drugs and medicines that are imported into this country. This Bill was referred to the Select Committee; but later on, what happened was that the pharmacists, the medical practitioners and the medical associations in this country raised a strong objection with regard to this partial procedure for the prevention of adulteration. As the Bill stood, adulteration was penal only in the case of those drugs and medicines imported. It did not in any sense prevent adulteration of drugs manufactured in this country itself. The net result of it was that when once a medicine was certified to be pure—all that related only to imported drugs—it put the Indian manufacturers at a disadvantage. With that certificate of purity, the imported drugs

could always sell better and find a better market to the detriment of the indigenous drugs. Therefore, public agitation was set on foot for a comprehensive legislation which will cover not only imported drugs and medicines but would also check adulteration of the drugs that are put forth in the market from indigenous sources. Since then the Central Legislature had delayed legislation and are awaiting the opinions of the Local Governments in this matter. Since the introduction of the Government of India Act, 1935, these subjects have been transferred to the Provincial List. Therefore, the Government of India hesitated to formulate legislation in this matter. This resolution simply gives power to the Government of India to pass legislation on such matters which are under our control, and on which we want the Central Legislature to take action in view of the all-India nature of the matter that is under consideration. More than one Provincial Government has already signified its consent, and we are only following the procedure and the general desire of the rest of the Provinces in formulating this resolution. We only make clear our desire that the indigenous drugs manufactured in this country shall not suffer and be at a discount in a competitive market and that they shall contain the same standard of purity with the seal of the Government of India, so that they could compete on their own merits with other imports with a label of purity. Therefore, it is more in the nature of a safety device in which every Province shall take part, and the benefits of which the whole country shall have. But it does not in any sense take away our rights, because, in fact, when once the Central Legislature passes this Act, the Provincial Government has to enforce the Act on similar lines. When once legislation is made by the Central Legislature, it is not as if our powers are taken away; we must decide to enforce that Act in our Province with the consent of the Legislature. While we give power to the Central Legislature to enact on our behalf, it is left to us to enforce it or not. Therefore, even in this argument of Provincial rights heing surrendered to the Central Legislature, there is nothing which is really lost. We want uniformity of procedure with regard to certain things which affect all Provinces equally and we delegate such powers to the Central Government to enact such measures as we think necessary. Therefore, on both these points, I submit to the House that this resolution is one which is suitable for your consideration and for your acquiescence."

* SRI T. T. KRISHNAMACHARIAR :—" Mr. Speaker, I wish to accord my support on behalf of the South Indian commercial community to the resolution. About a year back, during the Budget discussion, I think, I put a question to the Hon. Minister as to what he was going to do with regard to Provincial legislation on

which I represent would be glad that the Provinces are moving in getting the Central Legislature to pass legislation in the matter. The Hon. the Mover of the resolution had touched on certain aspects of the question, specially on that part of the resolution which affected the prestige of the Provincial Legislatures. But at the same time, there is another aspect with which we, merchants, are concerned; that is, the removal of trade barriers between one Province and another. In the matter of drugs manufactured in one Province, particularly, where they are of alcoholic content, the excise trouble and excise barriers are numerous. I think that this resolution augurs very well for the future because it initiates a step in the right direction of concerted action between Province and Province, and a precedent that where matters under the control of the Provincial Legislature need uniform regulation all over India, they will approach the Central Legislature to legislate for all of them. I wholeheartedly offer my support to the resolution."

The resolution was put and carried.

XI.—MOTION *RE* AMENDMENT TO SCHEDULE IV TO THE MADRAS CITY MUNICIPAL ACT, 1919.

* THE HON. SRI B. GOPALA REDDI:—" I beg to move, 6-4
Sir— ·n

'*That the following draft of certain rules proposed to be made by the Government of Madras under sub-section* (3) *of section* 347 *of the Madras City Municipal Act,* 1919 (*Madras Act IV of* 1919), *altering Schedule IV to that Act be approved.*

'*The rules hereby made shall be deemed to have come into force with effect on and from the* 1*st April* 1938.

Draft Rules.

'(1) *To rule* 2 *of the said rules, the following provisos shall be added, namely:—*

"*Provided that in every case where there is an enhancement in the assessment the commissioner shall also cause intimation thereof to be given by a special notice to be served on the owner or occupier of the property concerned:*

Provided further that in every case where a special notice is required to be served on the owner or occupier under the first proviso, the period of thirty days and fifteen days referred to in clause (*b*) *shall be calculated from the date of service of such special notice.*"

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(2) *In sub-rule (1) of rule 6-A of the said Schedule, the following words shall be added at the end, namely:—*

"*or, in a case where a special notice is required to be served on the owner or occupier of the property under the first proviso to that rule, on the first day of the half-year following that in which such special notice is served on the owner or occupier of the property.*" '

" Sir, I am bringing forward this motion at the request of the City Corporation. This rule existed prior to the amendment of the City Municipal Act in the year 1936. But somehow, it was omitted in the amending Act, and the necessity has arisen for it to be re-introduced in the Act. When a revision takes place, the Commissioner notifies the revision in the local papers, and the private individual, the owner of a house property, has to look into the newspapers, or his case will go by default, since he may not be able to file an appeal against the enhancement in due time. This amending clause will take us back to the old procedure by which, whenever there is an enhancement in the property tax, notice will be given to the owner of the property or to the occupier of the house property, so that he may know definitely that there is a revision of and an enhancement in the tax that he has to pay; and he can prefer an appeal, if he likes, to the Commissioner within the prescribed time. The Corporation itself felt the necessity for this amendment, and it has requested the Government to amend the Schedule. I beg to move the motion."

* SRI K. BHASHYAM AYYANGAR :—" Mr. Speaker, I want to move an amendment to the motion made by the Hon. the Minister. The justice of amending the Schedule by the motion made by the Hon. Minister has already been explained to the House. And if it is appreciated by the House, the amendment which I propose to place before the House now, will, I am sure, be also approved. All that I want is that the justice that is sought to be meted out to persons the assessment of tax on whose houses will be enhanced, should be extended to those persons whose tax has been enhanced as a result of a revision made in the year 1938. It may be stated that the tax on house property is revised once in five years by the authorities of the municipality, and that in respect of this general revision, a notice is published in the newspapers. Newspapers are not read by everybody, and therefore it very often happens that a large number of householders whose house assessment is sought to be enhanced are not able to know that there is going to be such an enhancement, and are not, therefore, able to file any appeal against such enhancement. All that I want is that the relief which is now sought to be given by the Minister's motion should be extended to those persons also who own houses in divisions

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where a general revision has taken place in the year 1938. As a matter of fact, it seems that notice in regard to the revision in 1938 was as usual published, but that a large number of house-owners have failed to file appeals to the authorities concerued; and such people would have no opportunity to file appeals in regard to revision of assessment for another five years. If my amendment is accepted, appeals preferred before the 10th January 1939 will be considered to be in time for the revision made in 1938. My amendment amounts to this, that it will make the provision which the Hon. the Minister has moved, have retrospective effect so far as general revision has taken place in April 1938. The following is my amendment:—

'Add *to rule 3 of Part I-A of Schedule IV to the Madras City Municipal Act*, 1919—

"*Provided that in respect of all cases of enhancement of property tax as a result of the general revision which took effect from* 1*st April* 1938, *all revision petitions preferred or to be preferred on or before* 10*th January* 1939 *shall be entertained as if they had been preferred in time and the decisions thereon shall be given effect to as and from the beginning of April* 1938 ".' "

SRI P. M. ADIKESAVULU NAICKER:—"I second the amendment."

* THE HON. SRI B. GOPALA REDDI:—" Sir, I have had no time to get this amendment examined by the department since it was officially given notice of only to-day. But I had occasion to discuss the matter with the Commissioner of the Corporation and the Revenue Officer of the Corporation. They seem to hold that there is some legal objection to giving retrospective effect to my motion. Since my friend's amendment seeks to give the benefit of my motion from the beginning of April 1938, though the revision petition itself can be filed before the 10th of January 1939, I would like the amendment to be examined by my department; and the City Corporation also may be given an opportunity to have their say in the matter. I am also told by some other members of the Corporation that this amendment may dislocate the realization of dues in time, because a large number of appeals, nearly 4,000, have been preferred from all the eight divisions where general revision has taken place. There is also a doubt, as I said, that there may be some legal objection to this course. So, I want to get the matter examined, if necessary even by the Advocate-General. Meanwhile, if it is found that there is no objection to this proposal and if the City Corporation also finds that this amendment is harmless, I may myself bring forward an official resolution before the House. With this assurance, I request the mover of the amendment to withdraw the same."

MR. SPEAKER:—" Does the mover of the amendment desire to withdraw his amendment? "

* SRI K. BHASHYAM AYYANGAR:—" That is what I want to do, Sir. I do realize the difficulty of the Hon. the Minister as regards my amendment, and I hope that he will certainly come forward at the next sittings of the House with an official motion, if he finds it necessary to do so."

MR. SPEAKER:—" Has the hon. Member the leave of the House to withdraw the amendment? "

ABDUL HAMEED KHAN SAHIB BAHADUR:—" I object to leave being given to withdraw."

MR. SPEAKER:—" There is no 'objection' to be taken to withdrawal."

The amendment was, by leave, withdrawn.

MR. SPEAKER:—" I now put the original motion to the vote."

The motion of the Hon. Sri B. Gopala Reddi was put and carried.

The House then adjourned to meet again at 3 p.m. the next day.

XII.—PAPER LAID ON THE TABLE OF THE HOUSE.

[a] *G.O. No. 390, Finance, dated 23rd November 1938, relating to the Schedule of authorized further expenditure for 1938–39, as authenticated by His Excellency the Governor.*

[a] Placed on the table on 28th November 1938.

APPENDIX I.

[Vide answer to starred question No. 236 asked by Sri K. Shanmugam at the meeting of the Legislative Assembly held on the 29th November 1938, page 191 supra.]

Various communities of teachers and their grades.

STATEMENT I.

Serial number and name of district.	Brahmans. Secondary grade.	Brahmans. Higher grade.	Brahmans. Lower grade.	Non-Brahmans. Secondary grade.	Non-Brahmans. Higher grade.	Non-Brahmans. Lower grade.	Scheduled Classes. Secondary grade.	Scheduled Classes. Higher grade.	Scheduled Classes. Lower grade.	Muhammadans. Secondary grade.	Muhammadans. Higher grade.	Muhammadans. Lower grade.	Indian Christians. Secondary grade.	Indian Christians. Higher grade.	Indian Christians. Lower grade.	Total. Secondary grade.	Total. Higher grade.	Total. Lower grade.	Remarks.
1 Bellary	1	1	..	..	5	7	..	6	19	..	3	4	..	13	5	1	28	35	Two female teachers.
2 East Godavari ..	1	..	..	..	16	12	..	31	59	..	3	1	1	44	19	2	94	91	Thirteen female teachers.
3 North Arcot	..	2	..	..	25	4	..	31	28	..	3	..	1	30	8	1	91	40	Eight female teachers.
4 Nellore	..	5	13	..	10	15	..	2	7	..	2	..	..	38	18	..	..	..	Twenty-five female teachers, eighteen higher grade and seven lower grade.
5 Trichinopoly	..	1	..	1	2	1	..	54	96	..	1	2	..	13	6	1	71	105	Eight female teachers.
6 Guntur	1	..	..	..	..	..	..	18	9	..	..	..	..	..	..	1	18	9	Five female teachers.
7 South Arcot	..	..	..	2	4	1	..	38	161	..	..	..	2	13	3	4	55	165	Eleven female teachers.
8 West Godavari ..	..	..	..	..	..	1	..	3	26	..	..	..	..	14	15	..	17	42	Three female teachers.
9 Chingleput	1	1	..	1	15	9	..	14	73	..	3	..	2	34	30	4	67	112	Ten female teachers.
10 South Kanara ..	..	1	..	..	14	5	..	11	19	..	2	4	..	13	2	..	41	30	Four female teachers.
11 Anantapur	..	..	..	..	..	6	1	2	6	1	1	1	..	18	7	2	21	20	Two female teachers.
12 Tanjore	169 Adi-Dravida teachers two secondary grade, the rest higher and lower trained.																		Nine female teachers.
13 Malabar	..	1	..	3	75	15	..	9	17	..	2	..	..	5	..	3	92	32	Two female teachers.
14 Kistna	..	..	..	..	4	3	..	11	20	..	..	..	..	10	5	..	25	28	Three female teachers.
15 Salem	No Labour schools.																		

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STATEMENT II.

The amounts spent in the respective districts for the development of education in the years 1936–37 *and* 1937–38.

District.	1936–37. RS.	A.	P.	1937–38. RS.	A.	P.
1 Bellary	18,872	0	0	20,375	8	0
2 East Godavari	16,337	12	3	48,728	11	0
3 North Arcot	50,745	3	7	53,993	0	0
4 Nellore	40,469	8	3	42,864	2	6
5 Trichinopoly	59,692	7	0	63,677	15	2
6 Guntur	2,725	9	3	4,420	14	0
7 South Arcot	49,296	0	4	74,910	2	5
8 West Godavari	23,626	9	0	26,557	10	6
9 Chingleput	66,411	0	0	71,225	0	9
10 South Kanara	26,970	12	3	35,235	13	3
11 Anantapur	12,622	15	0	13,790	15	9
12 Tanjore	59,437	3	0	61,964	14	0
13 Malabar	49,395	15	3	51,556	5	3
14 Kistna	22,503	13	0	25,472	2	0

STATEMENT III.

List of punishments.

District.	Dismissal.	Suspension.	Stoppage of increments.	Blackmarks.	Remarks.
1 Bellary	2	1	3	15	....
2 East Godavari	Nil.	6	13	8	....
3 Nellore	7 (*a*)	12	(*b*)	47	(*a*) Four reinstated on appeal. (*b*) Increments of all teachers stopped for two years for failure to maintain proportional strength of standards.
4 Trichinopoly	Nil.	1	101	75	....
5 Guntur	Nil.	Nil.	Nil.	Nil.	....
6 South Arcot	3	4	16	7	....
7 West Godavari	2	2	15	4	....
8 Chingleput	2 (*c*)	1	40	..	(*c*) One reinstated. The conduct of three teachers censured and fifty teachers warned for unsatisfactory work.
9 South Kanara	Nil.	4	12	23	....
10 Anantapur	Nil.	2	15	15	....
11 Tanjore	Nil.	10	61	50	....
12 Malabar	Nil.	2	5	23	....
13 Kistna	Nil.	5	13 (*d*)	10	(*d*) Two reduced in pay.
14 North Arcot	Nil.	4	22 (*e*)	19	(*e*) Five reduced in pay.

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APPENDIX II.

[Vide answer to starred question No. 240 asked by Sri K. V. R. Swami at the meeting of the Legislative Assembly held on the 29th November 1938, page 193 supra.]

List of industrial schools under private management aided by Government.

Name of institution.	Place in which it is located.	Subjects taught.
1 St. Aloysius Industrial school.	Vizagapatam ..	Mechanical Engineering including Motor Engineering.
2 Industrial school ..	Rajahmundry ..	Woodwork, General Mechanics, paper and book binding.
3 Municipal Technical Institute.	Masulipatam ..	Mechanical Engineering.
4 St. Joseph's Industrial school.	Gunadala	Cabinet making and carpentry.
5 Sri Krishna Parisramalayam Industrial school.	Kavutharam ..	Do.
6 C.M.S. Industrial school.	Vidyanagar	Tanning and leather works.
7 U.L.C.M. Rural reconstruction school.	Guntur	Agriculture and rural industries (bee-keeping, poultry farming, weaving, gardening).
8 American Mission Cabinet-making school.	Do.	Carpentry and blacksmithy.
9 St. Joseph's Orphanage Girls Industrial School, Guntur.	Do.	Needlework and dressmaking.
10 Sri Krishnashramam (recognized from 1st April 1938).	Do.	Carpentry and cement work.

APPENDIX III.

[Vide answer to starred question No. 248 asked by Sri B. Bhakthavathsalu Nayudu at the meeting of the Legislative Assembly held on the 29th November 1938, page 200 supra.]

List of pre-unions under supersession.

Chetpet (North Arcot district).
Sholinghur (North Arcot district).
Karimangalam (Salem district).
Idapadi (Salem district).
Lalpet (South Arcot district).
Vriddhachalam (South Arcot district).
Sathanur (Tanjore district).
Papanasam (Tanjore district).
Kilakarai (Ramnad district).
Abiramam (Ramnad district).
Puliyangudi (Tinnevelly district).
Angalur (Kistna district).
Dokkiparru (Kistna district).
Kondapalli (Kistna district).
Lingala (Kistna district).
Chilakalurpet (Guntur district).
Avanigadda (Kistna district).
Ghantasala (Kistna district).
Nandalur (Cuddapah district).
Betamcherla (Kurnool district).
Madanapalle (Chittoor district).
Samalkota (East Godavari district).
Salur (Vizagapatam district).
Pulla (West Godavari district).
Narasapur (West Godavari district).

THE MADRAS LEGISLATIVE ASSEMBLY.

Wednesday, the 30th November 1938.

The House met in the Assembly Building, Chepauk, at three of the clock, Mr. Speaker (THE HON. SRI B. SAMBAMURTI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Enquiry into the dacoity at Muraiyur village, Tiruppattur taluk, Ramnad district.

* 251 *Q.*—SRI V. S. R. M. VALLIAPPA CHETTIYAR: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether the information called for in respect of clauses (*a*) to (*f*) of question No. 80 (starred), answered on 21st December 1937, regarding the enquiry into the dacoity at Muraiyur village, Tiruppattur taluk, Ramnad district, has been received; and

(*b*) if so, what the answers to the clauses referred to above are?

THE HON. SRI C. RAJAGOPALACHARIAR:—" (*a*) The answer is in the affirmative.

" (*b*) *Clause* (*a*) *of Legislative Assembly question No.* 80 (*starred*).—There was a dacoity in Muraiyur village, Tiruppattur taluk, on 21st September 1936. The value of the property lost was Rs. 20,000.

" *Clause* (*b*) *of Legislative Assembly question No.* 80 (*starred*).—Jewels to the value of Rs. 10,000 and a sum of Rs. 2,000 in cash were recovered in the Ramnad, Madura and Tinnevelly districts.

" *Clause* (*c*) *of Legislative Assembly question No.* 80 (*starred*).—A Special Second-Class Magistrate was appointed for three months to conduct the preliminary enquiry. He was assisted by a Prosecuting Sub-Inspector of Police. The accused persons were tried by a Special Sessions Judge. Nine charges were framed against the accused in respect of the case. The trial was with assessors as regards one of the charges and by jury as regards the remaining eight charges.

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"*Clause (d) of Legislative Assembly question No.* 80 (*starred*).—The finding on all the charges was that the accused persons were not guilty.

"*Clause (e) of Legislative Assembly question No.* 80 (*starred*).—The public in the locality were reported to be agitated over the occurrence."

"*Clause (f) of Legislative Assembly question No.* 80 (*starred*).—An expenditure of Rs. 5,268-9-0 was incurred by the Government on the enquiry and conduct of the case."

SRI V. S. R. M. VALLIAPPA CHETTIYAR:—"May I ask why even after such an elaborate enquiry costing the Government thousands of rupees, the case has ended in acquittal?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"The result of a case does not depend on the amount of expenditure on the part of the Government. The trial was on the main charges; and being a dacoity case, the trial was by jury and the verdict of the jury has to prevail."

SRI V. S. R. M. VALLIAPPA CHETTIYAR:—"Does that not show that there is something wrong somewhere?"

MR. SPEAKER:—"It is an indefinite question and is disallowed."

SRI V. S. R. M. VALLIAPPA CHETTIYAR:—"May I ask what action Government propose to take to see that such things do not occur again in judicial proceedings?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"The hon. Member is apparently under the impression that something was done by Government or something was omitted to be done by Government which brought about the result. But there was no act or omission on the part of the Government that could be held to be responsible for the result. It is either want of evidence or bad judgment on the part of the jurors."

Enquiry into the case of an alleged gambling in the Chettivayal village, Trichinopoly district, and the action taken thereon.

* 252 *Q.*—SRI V. S. R. M. VALLIAPPA CHETTIYAR: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether as stated in answer to clause (*d*) of question No. 55 (starred), answered on the 21st December 1937, any enquiry was made in regard to gambling carried on in the village of Chettivayal, Manapparai taluk, Trichinopoly district; and

(*b*) if so, the result of the enquiry and the action that the Government have taken or propose to take in the matter?

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THE HON. SRI C. RAJAGOPALACHARIAR:—" (a) The answer is in the affirmative.

" (b) The officiating Sub-Inspector of Police who was then in charge of Thuvarankurichi station was held to be guilty of neglect of duty and failure to take proper steps and was dismissed. The Inspector has been censured.

" Fifty-four persons, who were arrested when the police raided the gambling den, were charged before the Sub-Magistrate. Manapparai. All of them admitted their guilt and were convicted and sentenced to pay fines."

SRI V. S. R. M. VALLIAPPA CHETTIYAR:—" Are the Government aware that most of the gambling in large scale is carried on with the previous knowledge and approval of some Police officer or other? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" I cannot answer with respect to all or most of the cases, but in this particular case, the Sub-Inspector had knowledge of the gambling that was going on and took no steps to keep the superior officers informed or to take action himself and that is why he was dismissed."

SRI V. S. R. M. VALLIAPPA CHETTIYAR:—" May I request the Hon. Premier to see that the Gambling Act is amended so as to award severe punishment to the gamblers? "

MR. SPEAKER:—" Does it arise out of this question? "

SRI V. S. R. M. VALLIAPPA CHETTIYAR:—" I ask, Sir, whether it is not desirable for the Government to amend the whole Act so as to give severe punishment to gamblers? "

MR. SPEAKER:—" I do not think it is a supplementary question."

Nature of the arrangement entered into for the payment of the debt due to the Government of India.

* 253 *Q.*—SRI G. KRISHNA RAO: Will the Hon. the Prime Minister be pleased to state with regard to the consolidation of debt with the Government of India whether the existing arrangement is alterable?

THE HON. SRI C. RAJAGOPALACHARIAR:—" As explained in paragraph 16 on page 25 of the Budget Memorandum for 1938–39, the existing arrangement in regard to the consolidation of the pre-autonomy loans taken from the Central Government is not alterable by anything this Government can do."

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SRI G. KRISHNA RAO:—"May I know if this Government had any correspondence with the Central Government to see that the rate of interest is reduced to 3 per cent because it is now 4½ per cent?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"If any concession is given by the Secretary of State to any particular Provincial Government in regard to this matter, he should most surely have to reopen the case with respect to the loans due from all the Provincial Governments and so any reduction in the rate of interest in regard to our loans will be followed by a demand from all Provinces. It is highly unlikely that at present it would be possible to get such a thing; nor is it advisable for us to start a request which would be turned down in that manner. The Government will consider the matter at the proper time and take necessary steps. We are as anxious to save expenditure as any one else in the House."

SRI M. G. NATESA CHETTIYAR:—"May I know, Sir, whether the loans taken from the Government of India are for administrative purposes or as if India Government is a banking concern?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"These loans represent the total amount of loans given for the administration of this Province during many years previously and they were taken according to the ordinary rules. With reference to loans on ordinary principles taken by the Government, they are not for conducting the normal administration of the Government but for various capital purposes."

Instructions as to the degree of proof necessary for the dismissal or removal of corrupt officers.

* 254 *Q.*—SRI E. KANNAN: Will the Hon. the Prime Minister be pleased to state whether Government have consulted local bodies and municipalities before they issued G.O. No. 902, Public (Services), dated 28th May 1938?

THE HON. SRI C. RAJAGOPALACHARIAR:—"The answer is in the negative. The Government Order is based on the principle that a Government servant with bad reputation has no right to be retained in service and that it should not be necessary definitely to prove corruption as in a criminal case. There was no necessity to consult local bodies on a matter which related to the servants of the Government."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"In the case of officials with bad reputation, is it to be a case of dismissal or merely 'compelled to retire'?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"We have not enacted a Code for a specific penalty in respect of the matter, but all that has been laid down is this, that though specific proof has not been tendered and accepted with reference to the actual corruption or things like that, reputation, in the correct sense of the word, would be enough. Let me say at once, Sir, that reputation does not mean allegation, or suspicion or rumour; it means definitely what is generally said or believed about a person's character and generally the man knows the same thing. In those circumstances it depends on the nature of the reputation as to what the punishment would be. Suppose there is a general reputation that he uses his servants for domestic purposes, we could not dismiss him for that purpose and if there is a general reputation for bribes and things like that, we would dismiss him for that."

Use of tear gas bombs by the police in dealing with riotous assemblies.

* 255 *Q.*—SRI D. RAMALINGA REDDIYAR: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether the Government have taken any and if so, what steps so far for training the police in the use of tear gas bombs to quell or disperse riotous assemblies menacing the peace of the public; and

(*b*) if not, whether the Government will consider the desirability of giving such training?

THE HON. SRI C. RAJAGOPALACHARIAR:—"(*a*) I should not like to give information which may become useful to persons interested in organizing riotous assemblies.

"(*b*) The Government have considered the question. Certain aspects present great difficulties and the matter needs further examination which will be done in due course."

SRI D. RAMALINGA REDDIYAR:—"May I know, Sir, whether the Government are aware that the Bombay Government have sent a contingent of Police force to receive such a training at the Phillopore centre in the Punjab Province?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"I am quite aware of it, Sir."

Age-limit for selection and appointment by promotion to the posts of Deputy Tahsildars and Sub-Magistrates.

* 256 *Q.*—SRI G. KRISHNA RAO: Will the Hon. the Minister for Revenue be pleased to state what the necessity is for prescribing an age-limit for selection and appointment to the post of Deputy Tahsildars and Sub-Magistrates from among the Revenue Subordinates?

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SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—" To ensure that officers would have a chance of promotion before they are too old to adapt themselves to new positions and new responsibilities."

SRI G. KRISHNA RAO:—" If a particular officer is just over-aged and is otherwise qualified, he is not entitled to promotion under this rule of arbitrary age-limit. Is it not unjust, Sir ? "

SRI T. VISWANATHAM:—" All limitations of law do involve a certain amount of injustice, but that is inevitable."

SRI G. KRISHNA RAO:—" Are the Government aware that such arbitrary rules bring about discontent and efficiency of service is impaired ? "

SRI T. VISWANATHAM:—" It is uot so arbitrary as the hon. Member presumes. In fact the age-limit of 40 has been adopted by the Board of Revenue for a large number of years."

SRI G. KRISHNA RAO:—" When in the case of those officers who are promoted they are kept on probation for two years till they prove their fitness or unfitness, where is the necessity for such an age-limit in that case? "

SRI T. VISWANATHAM:—" That is the object with which the age-limit of 40 has been extended to 43."

Reduction in the pay of certain subordinates in No. 2 Survey Party owing to the application of the new revised scales of pay.

* 257 *Q.*—SRI P. MADHAVAN: *Will the Hon. the Minister* for Revenue be pleased to state—

(*a*) whether it is a fact that in the Survey Party No. 2 the pay of subordinates drawing less than Rs. 100 in the officiating cadre is brought down to the new revised scales of pay when there has been a break in the officiating appointment; and

(*b*) if so, in how many eases and under what authority?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri. T. Prakasam:—" (*a*) & (*b*) The attention of the hon. Member is invited to rules 4 and 5 of the rules governing the new revised scales of pay and the provisos thereunder published in Part I of the *Fort St. George Gazette,* dated the 1st February 1938. The Government are unable to state from the information they have, the number of cases in Survey Party No. II in which the pay of the subordinates drawing less than Rs. 100 per mensem in officiating and temporary capacities had to be fixed in the new revised scales of pay. The officials concerned will no doubt look after their own interests very carefully."

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Decision of Government in the matter of abolition of the hereditary rights of village munsifs.

* 258 *Q.*—SRI P. MADHAVAN: Will the Hon. the Minister for Revenue be pleased to state whether the Government have finally decided to abolish the system of appointing village munsifs on the strength of hereditary rights?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—" The answer is in the negative."

SRI V. S. R. M. VALLIAPPA CHETTIYAR:—" May I ask whether the Government will see that the mater is expedited ? "

SRI T. VISWANATHAM:—" I am not able to follow the purport of that question."

SRI V. S. R. M. VALLIAPPA CHETTIYAR:—" May I ask whether the Government will see that the matter is expedited? "

Enquiry into the alleged corruption of the sub-treasury staff at Tiruppattur, Ramnad district.

* 259 *Q.*—SRI V. S. R. M. VALLIAPPA CHETITYAR: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether an enquiry was ordered by the Government into the alleged corruption against the sub-treasury staff at Tiruppattur, Ramnad district; and

(*b*) if so, what action has been taken in the matter?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—" (*a*) The Government ordered that an enquiry should be made into the general charge of corruption made by the hon. Member against the Sub-treasury staff at Tiruppattur.

" (*b*) No satisfactory evidence was forthcoming to bring home the general charge to any individual but all persons against whom there were allegations of corruption have been transferred from the Taluk office."

SRI V. S. R. M. VALLIAPPA CHETTIYAR:—" May I know whether witnesses had been invited by the Revenue Divisional Officer? "

SRI T. VISWANATHAM:—" I presume that an enquiry involves all that process."

Representations from the ryots of the districts of Godavari and Kistna for the reduction of water-rate.

* 260 *Q.*—SRI KALA VENKATA RAO: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether the Government received any representations from the public of the Godavari and Kistna districts claiming reduction of water-rates from Rs. 6-4-0 to Rs. 5 per acre; and

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(b) whether the Government have examined this claim and with what result?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—" (a) The answer is in the affirmative.

" (b) The matter is under consideration."

SRI KALA VENKATA RAO:—" Is it a fact that an enhancement was made in 1931 and the same was as high as 25 per cent? "

SRI T. VISWANATHAM:—" It is a fact that enhancement was made in 1931 or thereabout along with resettlement operations, but it cannot be said it was an all-round 25 per cent. It varied in different cases."

SRI KALA VENKATA RAO:—" May I know the rates prevailing in other parts of the Province? "

SRI T. VISWANATHAM:—" A list of the scheduled rates can be found in the Board's Standing Orders. There are a number of variations, and I cannot recount them offhand."

SRI KALA VENKATA RAO:—" Was there enhancement in any other districts after 1931? "

SRI T. VISWANATHAM:—" There was no enhancement of water-rates as part of resettlement operations, Sir."

SRI KALA VENKATA RAO:—" If it was not during resettlement operations, has it been done even otherwise? "

SRI T. VISWANATHAM:—" Water-rates are imposed or varied from time to time as the circumstances demand."

SRI KALA VENKATA RAO:—" Inasmuch as the Parliamentary Secretary concedes the position that the enhancement was as high as 25 per cent in the year 1931, will he consider the immediate desirability of reducing the amount now? "

SRI T. VISWANATHAM:—" I have no objection to give credit to the industry of the hon. Member; but no assurance can be given offhand." (Laughter.)

Raising of the Calingula planks in the Calingula across the Nadagudi drainage in Nannilam taluk.

* 261 Q.—SRI P. VENKATARAMA AYYAR: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that the Public Works Department raised the Calingula planks recently in the Calingula across Nadagudi drainage in Nannilam taluk;

(b) what are the principles and dimensions embodied in the report sent with the estimate for the construction of the Calingula in its original design;

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(*c*) the ayacut for the irrigation of which the additional height is required and the area the drainage interests of which would suffer when the planks of the calingula are put on;

(*d*) whether the water so diverted by the Calingula is wholly taken inside Thattathimoolai limits for irrigation purposes without overflowing the calingula planks and without being diverted in counter-current direction along the Thirumalaiappan Thoppadi Kanni;

(*e*) whether Public Works Department officers have considered the question of conflict between drainage interest and the irrigation interest whenever the calingula is shut up; and

(*f*) what action the Public Works Department propose to take to avoid such a conflict of interest?

THE HON. MR. YAKUB HASAN :—" (*a*) An additional plank 10 inches high was allowed to be put in only when required for the irrigation of high-level lands of Thattathimoolai. The intention is that at other times, the planks should be removed for drainage of Nadagudi lands.

" (*b*) The crest of the calingula is 37·60 and it is almost the bed level of the drain. The top of the dam stones in the calingula is 40·18.

" (*c*) The extent of high-level lands for irrigation of which the additional plank is required is about 60 acres. The drainage interests would not suffer as the planks would not be put in permanently, but removed as and when the drainage of Nadagudi lands required relief.

" (*d*) The intention is that the calingula planks should not be allowed to overflow. Overflow would be prevented by gradual removal of planks. When water is headed up at the calingula it backs up along Thirumalaiappan Thoppadi Kanni. If the Nadagudi ryots take care to block up their field madais, the water thus backing up would not enter the fields.

" (*e*) On a representation by the Nadagudi ryots, the Executive Engineer after personal inspection has reduced the height of the additional plank to 5 inches.

" (*f*) The regulation of the calingula shutters has been taken over by the Public Works Department."

Improvements to the Buckingham Canal to ensure better transport facilities.

* 262 *Q.*—SRI P. M. ADIKESAVULU NAICKER: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) the quantity of goods passing through the Buckingham Canal annually;

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(*b*) whether the Government are aware of the shallowness of the canal that makes it difficult for the boats to move on easily; and

(*c*) whether the Government will consider the desirability of taking necessary steps to make the canal deeper for enabling quicker and easier transport?

THE HON. MR. YAKUB HASAN:—"(*a*) The attention of the hon. Member is invited to the D-II statement in Appendix I of the Public Works Department Administration Report—Part II—Irrigation.

"(*b*) The answer is in the affirmative.

"(*c*) All possible steps are being taken by Government to maintain the minimum prescribed depth in the canal. The question of further improvements with a view to afford better facilities for the canal traffic is engaging the attention of Government."

SRI G. RANGAYYA NAYUDU:—"May I know, Sir, whether the silt in the canal is being removed every year?"

THE HON. MR. YAKUB HASAN:—"It is being done by turns."

Construction of regulators across the Nattar and the Vanjiyar at the Vanjiyar head.

* 263 *Q*.—SRI P. R. K. SARMA: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether the contribution of Rs. 8,000 by the French Government for the construction of regulators across the Nattar and the Vanjiyar at the Vanjiyar head has been received;

(*b*) whether the provision for these regulators made at page 22 of the Detailed Irrigation Budget for 1938–39 has been utilized, and whether the regulators have been constructed and if so, when, and if not, when it will be completed;

(*c*) whether the delay in the construction of the same causes hardships to the ryots under the Nattar irrigation by their not getting their due share of the water;

(*d*) whether the Government will push on with the construction expeditiously; and

(*e*) whether in the meantime any, and if so, what steps have been taken to ensure to these ryots under the Nattar irrigation their due share of the water?

THE HON. MR. YAKUB HASAN:—"(*a*) One-half of the contribution, i.e., Rs. 4,000, has been realized. The other half is recoverable on completion of the work.

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"(b) The budget provision has been mostly utilized. Expenditure to the end of September 1938 is Rs. 5,879 and the total anticipated expenditure during the year is Rs. 6,100.

"The regulator across Vanjiyar has been completed and is functioning. Foundations and abutments for Nattar regulator have been finished. The piers, etc., have yet to be built.

"(c) The completion of Vanjiyar regulator in time has helped to maintain the Nattar irrigation supply steady and equitable.

"(d) The whole work will be completed by the next closure.

"(e) This does not arise as Vanjiyar is controlled and Nattar is getting its due share. There has been no complaint under Nattar this year and the progress of cultivation has been very good."

Rank allotted to Members of the Legislature with respect to the user of the Public Works Department dak bungalows.

* 264 *Q.*—SRI GRANDHI VENKATA REDDI: Will the Hon. the Minister for Public Works be pleased to state what the rank is of M.L.Cs. and M.L.As. in regard to the use of Public Works Department dak bungalows in the several districts; whether it is equal to, higher than, or lower than the rank of the gazetted officers?

THE HON. MR. YAKUB HASAN:—"According to the rules for the occupation of Government inspection bungalows Members of the Legislative Council and Assembly take rank along with the general public. Their 'rank' is therefore 'lower' than that of gazetted officers of Government, that is, their claim to the use of inspection bungalows is secondary to the claims of gazetted officers."

SRI K. R. KARANT:—"May I know whether it is a fact that members of the South India Automobile Association are given the same privileges as gazetted officers, and if so, why the members of the Legislature should be given an inferior status?"

THE HON. MR. YAKUB HASAN:—"I am not aware of it."

SRI G. RANGAYYA NAYUDU:—"Is it right on the part of the Government to lower the rank of the Members of the Legislative Council and Assembly?"

MR. SPEAKER:—"Is it a supplementary question? It is a matter of opinion."

THE HON. MR. YAKUB HASAN:—"I wish to state that the word 'lower' used here is put within inverted commas, and it is further explained as to what it means, namely,

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that the claim of the members of the public for the use of inspection bungalows is secondary to the claims of gazetted officers. It does not mean that their rank is lower. It only means that these bungalows are kept for the use of Gazetted officers and that the members of the public can occupy them if at the time no Gazetted officer occupies the same."

AN HON. MEMBER:—"Now that the Members of the Legislative Council and Assembly are asked to tour their various constituencies, will the Hon. Minister revise this rule and give preference to the members of the Legislature, instead of to the gazetted officers?"

THE HON. MR. YAKUB HASAN:—"I will consider it."

Basis for the calculation of rent for residential buildings belonging to Government.

* 265 *Q.*—SRI N. M. R. SUBBARAMAN: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether the cost of land is included in the capital cost of buildings given by Government in their answer to unstarred question No. 12, dated 15th August 1938;

(*b*) if not, the reasons for it;

(*c*) how the rental value of buildings is calculated;

(*d*) whether the basis of calculation is the same for all buildings; if not, the reasons for it; and

(*e*) why the rent realized for the quarters of the District Educational Officers in 1936–37 is only Rs. 351?

THE HON. MR. YAKUB HASAN:—"(*a*) & (*b*) The cost of land is not included in the capital cost of the buildings with reference to Fundamental Rule 45 A-II.

"(*c*) The rental value is calculated in accordance with Fundamental Rule 45 A-III (*b*). It will be either—

(i) a percentage of the capital cost of the building equal to the rate of interest prescribed by the Secretary of State in Council from time to time as the standard of return from productive irrigation works plus an addition of 2 per cent per annum to cover maintenance charges and also an addition on account of municipal and other taxes in the nature of house or property tax, or

(ii) 6 per cent per annum of the capital cost whichever is less.

"(*d*) Yes.

"(*e*) The residence was constructed long ago to suit the requirements of Inspectors of Schools who were highly paid

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Indian Educational Service Officers. Of late, only Provincial Service Officers on lower scales of pay are holding the posts of District Educational Officers. Officers have the option of paying rent at 10 per cent of their salaries. As one of such officers occupied the residence and paid rent at 10 per cent of his emoluments, rent at only Rs. 27–8–0 per mensem for a portion of the year and at Rs. 30 per mensem for the remaining period was realized."

Result of the enquiry regarding the complaints of the Lino operators of the Government Press, Madras, against their Assistant Superintendent.

* 266 *Q.*—SRI G. KRISHNA RAO: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether it is a fact that numerous complaints were received from the Lino operators of the Government Press, Madras, against the Assistant Superintendent in charge of the Lino section with regard to the treatment meted out to them;

(*b*) whether any enquiry was instituted with regard to this matter as promised by the Hon. Minister in the course of the Budget debate on 24th September 1937; and

(*c*) what the result is of such an enquiry?

THE HON. DR. P. SUBBARAYAN:—" (*a*) Yes.

" (*b*) & (*c*) An enquiry was held and the Government have taken necessary action in the matter."

SRI G. KRISHNA RAO:—" May I know whether there has been any fresh complaints in the year 1938—complaints signed by 34 of those who had previously complained—since the pronouncement made by the Hon. Minister? "

THE HON. DR. P. SUBBARAYAN:—" I do not follow the long question of the hon. Member."

SRI G. KRISHNA RAO:—" I am sorry. I shall try to be short. Has there been any fresh complaint from the workers again in regard to this, in the year 1938? "

THE HON. DR. P. SUBBARAYAN:—" Not that I am aware of."

SRI V. VENKATASUBBAYYA:—" May I know what is the nature of the action taken by the Government on the complaint received by them against the Assistant Superintendent in charge of the Lino section? "

THE HON. DR. P. SUBBARAYAN:—" I am not prepared to give it out."

SRI P. R. K. SARMA:—" May I know whether there have been serious complaints that the Assistant Superintendent in charge was responsible for the breakdown of linotype machinery in the press? "

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THE HON. DR. P. SUBBARAYAN:—"The hon. Member is misinformed."

3-30 p.m. MAHBOOB ALI BAIG SAHIB BAHADUR:—"May I know, Sir, what the result is of the enquiry that the Government have conducted? What have they found with regard to the complaints? Were they well-founded or ill-founded?"

THE HON. DR. P. SUBBARAYAN:—"As I said, Sir, I am not prepared to divulge the conclusions the Government have come to."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"The Hon. Minister said during the Budget debate that the necessary enquiry would be instituted and in accordance with that an enquiry was held. May I know, Sir, whether in spite of this matter being an administrative one, the conclusions of the Government are to be kept a secret."

THE HON. DR. P. SUBBARAYAN:—"The enquiry has been satisfactory and I am not prepared to divulge it."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"May I know, Sir, whether it is true that this officer was in a way responsible for the strike?"

THE HON. DR. P. SUBBARAYAN:—"I am not prepared to answer that question either."

SRI P. R. K. SARMA:—"May I know, Sir, whether the period of probation of the officer is drawing to a close and whether there has been a recommendation from the Superintendent in the matter of his confirmation?"

THE HON. DR. P. SUBBARAYAN:—"That again is a matter for the Government and the Superintendent, Government Press, and I am not prepared to answer it."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"May I appeal to the Speaker, Sir, that unless there is some statutory provision by which the Hon. Minister is privileged not to answer a question, he is bound to answer it."

MR. SPEAKER:—"Is it a point of order that is being raised? Or is it an argument?"

MAHBOOB ALI BAIG SAHIB BAHADUR:—"I am only appealing to the Speaker that unless there is a statutory provision conferring a privilege on the Hon. Minister of not answering a question, it ought to be answered."

MR. SPEAKER:—"The Hon. Minister did not decline to answer that question."

THE HON. DR. P. SUBBARAYAN:—"I said that it is a matter between the Superintendent of the Government Press and the Government themselves and the matter being delicate, I am not prepared to divulge the information."

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MR. SPEAKER :—" The Hon. Minister is perfectly within his rights in declining to give that information in public interest."

SRI P. R. K. SARMA :—" May I know, Sir, whether there was any delay in the printing of the proceedings of the Estates Land Act Committee due to bungling on the part of the Assistant Superintendent? "

THE HON. DR. P. SUBBARAYAN :—" I am not prepared to accept the hon. Member's suggestion."

SRI P. R. K. SARMA :—" May I know whether the Superintendent of the Press made a remark at any time that the Assistant was not efficient to hold the post? "

THE HON. DR. P. SUBBARAYAN :—" Not so far as I am aware of, Sir."

SRI P. R. K. SARMA :—" May I know, Sir, whether there have been complaints that the particular officer deliberately smokes in the press in places where smoking is forbidden and takes no heed of protests? "

THE HON. DR. P. SUBBARAYAN :—" I have not had any such complaints."

AN HON. MEMBER :—" May I know, Sir, whether the Government propose to confirm him in spite of the various complaints against him about which the Government themselves have investigated? "

THE HON. DR. P. SUBBARAYAN :—" That is a matter entirely within the discretion of the Government."

SRI P. R. K. SARMA :—" May I know, Sir, whether it is the policy of the Government to welcome strikes by not checking the vagaries of perverse officers? "

MR. SPEAKER :—" When the Speaker is standing, the hon Member must resume his seat."

" Rule 34 reads thus :

'A member to whom a question or supplementary question is put may decline to answer it on the ground that to answer it would be against public interest . . .' "

General and technical qualifications of the Assistant Superintendent in charge of the Lino section in the Government Press, Madras.

* 267 *Q.*—SRI G. KRISHNA RAO : Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) the period of training the Assistant Superintendent in charge of the Lino section in the Government Press, Madras, had in the Linotype Company in England;

(*b*) what his general qualifications are;

(*c*) whether he holds a certificate of efficiency from the Linotype Company where he underwent training in England; and

(*d*) what the period of service he had in the Government Press at the time of his appointment as the Assistant Superintendent in charge of the Lino section was?

THE HON. DR. P. SUBBARAYAN :—" (*a*) One year.

" (*b*) He holds a Diploma of the London School of Printing. Has passed Full Technological Certificate Examination, all final examinations of the City and Guilds of London Institute and several Government of Madras Technical Examinations. Has had practical training under Mr. Wynne, the then Linotype Instructor, Government Press.

" (*c*) Yes.

" (*d*) Eleven months."

Working of the Linotype machine, model No. 50, in the Government Press, Madras.

* 268 *Q.*—SRI G. KRISHNA RAO: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) what the object of the Government is in purchasing Linotype machine, model No. 50, for the Government Press, Madras, and what its cost is;

(*b*) whether that machine is provided with various founts;

(*c*) whether it is a fact that only one fount is being worked on that machine: and

(*d*) if so, why?

THE HON. DR. P. SUBBARAYAN :—" (*a*) The object in purchasing a model No. 50 Linotype machine was to have an up-to-date machine capable of setting at high speed a variety of type sizes and faces at one end and at the same time with greater ease and less cost avoiding the laborious task of frequently changing the magazine.

" The original price of the linotype composing machine (Model No. 50 S.M.) was Rs. 24,192–8–0 and the book value for the same as on 1st April 1938 was Rs. 22,257–8–0.

" (*b*) Yes.

" (*c*) The answer is in the negative; setting is done from all the founts as necessity arises.

" (*d*) Does not arise."

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Alleged scarcity of stock of spare parts to the Lino machines in the Government Press, Madras.

* 269 *Q.*—Sri G. KRISHNA RAO: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether it is a fact that spare parts for the Lino machines are not in stock in the Government Press;

(*b*) whether it is a fact that for want of spare parts many machines are in a defective condition;

(*c*) whether it is a fact that machines are running in spite of complaints from operators in such a state; and

(*d*) whether it is a fact that the Lino department was almost closed for nearly a fortnight?

The Hon. Dr. P. SUBBARAYAN:—" (*a*) The estimated requirement of spare parts for the linotype machines for one year are purchased through Home Indent and are held in stock in the Linotype department of the Press until required.

" (*b*) *to* (*d*) The answer is in the negative."

Sri G. KRISHNA RAO:—" May I know, Sir, whether owing to lack of proper arrangement with regard to the distribution of metal, work is now and then handicapped? "

The Hon. Dr. P. SUBBARAYAN:—" The Superintendent of the Government Press has said that there has been no such disadvantage as that referred to by the hon. Member."

Alleged irregularity in accounts and defalcation of materials in the Binding section of the Penitentiary Branch Press.

* 270 *Q.*—Sri G. KRISHNA RAO: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether it is a fact that there was irregularity in accounts and defalcation of materials in the Binding section of the Penitentiary Branch Press;

(*b*) whether the Government have received any report regarding the matter; and

(*c*) whether any action has been taken on it?

The Hon. Dr. P. SUBBARAYAN:—" (*a*) Certain discrepancies were noticed in the stock of the Penitentiary Branch

Press which were mostly due to loose accounting not leading to either defalcation or loss of Government stores.

" (*b*) Yes.

" (*c*) The persons concerned have been suitably dealt with."

Present stage of the question of recognition of the Vizagapatam Medical College by the Medical Council.

* 271 *Q.*—S. M. LALJAN SAHIB BAHADUR: Will the Hon. the Minister for Public Health be pleased to state what arrangements have been made by the Government to secure recognition to the Vizagapatam Medical College by the Medical Council and at what stage the matter is?

THE HON. DR. T. S. S. RAJAN:—" The Government have already sanctioned the necessary staff and equipment for the Medical College and King George Hospital, Vizagapatam. They have recently sanctioned the construction of a new out-patient department in the hospital at an estimated cost of Rs. 3·15 lakhs. They addressed the Medical Council of India for according recognition to the medical degrees of the Andhra University. The subject was considered at the meeting of the Executive Committee of the Council on the 24th October 1938, and the following resolution was passed:—

'That the Executive Committee have noted with satisfaction the reports of improvements which have been effected towards placing the buildings and other teaching facilities of the College on a sufficient basis and recommend to the Council that a further inspection of the Andhra University be undertaken in November-December 1938.'

" The Secretary, Medical Council of India, has requested the Registrar, Andhra University, to intimate expeditiously, the dates on which the proposed inspections may be carried out."

Opening of a school of Indian Medicine at Guntur.

* 272 *Q.*—S. M. LALJAN SAHIB BAHADUR: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) whether a school of Indian Medicine is contemplated to be started in the Andhra districts; and

(*b*) if so, whether the building facilities available in Guntur and its central position have been considered in that connection?

THE HON. DR. T. S. S. RAJAN:—" (*a*) The answer is in the negative.

" (*b*) The question does not airse."

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Use of hand-pounded rice and dry jaggery in the Government hospitals in the Province.

* 273 *Q.*—Sri D. V. Ramaswami: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) whether the Government have taken steps to introduce hand-pounded rice in the General Hospital, Madras, and the King George Hospital, Vizagapatam, and other headquarters hospitals in the Presidency;

(*b*) whether the advisory committee of Waltair Mental Hospital unanimously recommended the installation of "dhenki" for the purposes of supply of hand-pounded rice for that institution;

(*c*) what steps the Government have taken or propose to take in the matter; and

(*d*) whether the Government propose to encourage the use of clean dry jaggery in all hospitals in the place of sugar?

The Hon. Dr. T. S. S. Rajan:—"(*a*) The Government have ordered that as an experimental measure hand-pounded rice should be purchased instead of milled rice for use in the district headquarters hospitals at (1) North Arcot, (2) South Arcot, (3) Chingleput, (4) Guntur, (5) Tinnevelly and (6) Trichinopoly during the current year. The question of introducing hand-pounded rice in other Government medical institutions will be considered after the results of the experiment are known.

"(*b*) & (*c*) The visitors to the Government Mental Hospital at Waltair recommended the supply of paddy and manufacture of hand-pounded rice on the premises of the hospital. With a view to give effect to the proposal subject to certain conditions, the Surgeon-General has been requested to address the Director of Industries, Madras, as to the machinery to be installed for husking paddy in Government mental hospitals.

"(*d*) The Government have ordered that brown sugar and jaggery should be purchased for use in all Government medical institutions except for paying patients, who are particular in using only white sugar, and that jaggery should be used for preparing coffee for all non-paying patients in the general wards. This will take effect from 1939–1940. In the case of the hospitals in the Madras City however it will take effect in the current year and the Superintendents of the hospitals have been given the discretion to use white sugar, brown sugar or jaggery according to circumstances and convenience in each hospital."

Sri D. V. Ramaswami:—"May I know, Sir, what is the date of the order introducing hand-pounded rice?"

THE HON. DR. T. S. S. RAJAN:—"It has already been introduced and it is being used in these hospitals this year."

SRI D. V. RAMASWAMI:—"May I suggest the inclusion of Vizagapatam hospital also. Adequate paddy is grown and it may give employment to many as a sort of cottage industry?"

THE HON. DR. T. S. S. RAJAN:—"The hon. Member will note that it has been introduced in these hospitals only as an experimental measure. After watching the effect of the experiment this year, it may be possible for the Government to introduce it in Vizagapatam and other hospitals."

SRI V. S. R. M. VALLIAPPA CHETTIYAR:—"May I know whether the hand-pounded rice is from raw paddy or from parboiled paddy?"

THE HON. DR. T. S. S. RAJAN:—"I have no information of that."

Tenure of appointment of honorary medical officers.

* 274 Q.—SRI T. T. KRISHNAMACHARIAR: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) whether according to G.O. No. 1610, P.H., dated 29th July 1932, there is to be no time-limit in regard to the tenure of appointment of honorary medical officers to the two upper grades;

(*b*) whether, in view of the existence of the promise contained in the above Government Order to honorary medical officers who were appointed under the conditions outlined in the said Government Order he proposes to apply to them the rules regarding tenure of appointment outlined in the Public Health Department Government Order, dated 23rd December 1937;

(*c*) whether his attention was drawn to the obvious injustice done to officers who have been appointed prior to December 1937 by reason of the terms of the Government Order, dated 23rd December 1937, in regard to tenure;

(*d*) whether he had given an assurance that ordinarily such officers will not be disturbed; and

(*e*) whether the department have now called for applications from medical men for all the honorary posts now existing including those held by officers who were appointed in terms of G.O. No. 1610, P.H., dated 29th July 1932, and prior to December 1937?

THE HON. DR. T. S. S. RAJAN:—"(*a*) There was no time-limit for the tenure of appointment to those grades. The appointments were however terminable by three months' notice in writing on either side.

"(*b*) The answer is in the affirmative. The claims of the honorary medical officers who are already in service and who

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have put in more than five years' service will be considered along with those of new applicants and only the most suitable persons will be appointed as honorary medical officers.

" (c) The answer is in the negative.

" (d) No such assurance has been given.

" (e) The answer is in the affirmative."

Proposal for combining the posts of Chemical Examiner and Public Analyst and for appointing Indians to these posts on a lesser salary.

* 275 Q.—Sri G. KRISHNA RAO: Will the Hon. the Minister for Public Health be pleased to state—

(a) the work the Public Analyst is doing;

(b) the staff employed under him and the annual expenditure incurred on account of the salary of the Public Analyst and his staff;

(c) whether the Government will think of the feasibility of combining the posts of Chemical Examiner and Public Analyst; and

(d) whether the Government will think of appointing Indians on a lesser salary to these posts?

The Hon. Dr. T. S. S. RAJAN:—" (a) The hon. Member is referred to the Report of the Government Analyst appended to the Administration Report of the King Institute, Guindy, for the period from 1st October 1936 to 30th September 1937.

" (b) The staff employed under the Government Analyst are—

A.—Permanent—

One Senior Assistant on Rs. 200—15—350—20—450 per mensem.

One Junior Assistant on Rs. 100—10—200 per mensem.

One steno-typist on Rs. 35—60 (with shorthand allowance).

One laboratory attendant on Rs. 30—2—50 per mensem.

One attendant on Rs. 20—1—30 per mensem.

One peon on Rs. 12—18 per mensem.

B.—Temporary—

Four Junior Assistants on Rs. 85—15/2—175 per mensem each.

One Junior Assistant on Rs. 85—165 per mensem.

One clerk on Rs. 30—3/2—45—2/2—55 per mensem.

One laboratory attendant on Rs. 28—3/2—37—4/2—45 per mensem.

One peon on Rs. 12—17 per mensem.

"The average annual expenditure on account of the Government Analyst and his staff is about Rs. 36,000.

"(c) The Government have already considered the question and come to the conclusion that it is not feasible to combine the posts of the Chemical Examiner and the Government Analyst.

"(d) The post of the Chemical Examiner is at present held by an Indian and that of the Government Analyst by a non-Indian. The question of appointing an Indian to the latter post will be considered when it falls vacant."

SRI G. KRISHNA RAO:—"May I know, Sir, whether contributions are taken from the municipalities for whom the Public Analyst is doing service and, if so, whether it does not cover the expenditure of the department?"

THE HON. DR. T. S. S. RAJAN:—"Contributions are being taken from some municipalities that are sending samples but I am not in a position to answer the other part of the hon. Member's question offhand."

SRI G. KRISHNA RAO:—"I think that there are nearly seventy municipalities which are served by the Analyst and a few Panchayats are also being served. I do not take into account the contributions of the Panchayats. I do not know whether the contributions from these municipalities . . ."

MR. SPEAKER:—"I think the hon. Member is not putting a supplementary question but he is arguing."

Restrictions on the grant of grazing permits at concessional rates.

* 276 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) whether the grant of grazing permits at concessional rates is granted in all cases; and

(*b*) if not, in which cases it is withheld and for what reasons?

SRI N. S. VARADACHARIAR (Parliamentary Secretary) on behalf of the Hon. Sri V. I. Muniswami Pillai:—"(*a*) & (*b*) The 50 per cent reduction in grazing fees applies only to forests under the control of the Forest Department and not to panchayat forests which are managed under agreements entered into between the Government and the forest panchayats. These agreements prescribe the rates of grazing fees leviable and the rents payable to Government. The question of reduction of rates of grazing fees in these forests will be considered at the time of renewal of the agreements."

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Levy of a higher scale of grazing fee on cattle coming from beyond five miles.

* 277 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) whether it is a fact that the cattle coming from above 5 miles or so are charged higher scale of grazing fees; and

(*b*) if so, what the reasons are?

Sri N. S. VARADACHARIAR (Parliamentary Secretary) on behalf of the Hon. Sri V. I. Muniswami Pillai:—"(*a*) In a few forest divisions, a higher rate is levied for cattle, coming from places more than 5 miles distant from reserved forests.

"(*b*) The reasons for levying a higher rate are—

"(1) the grazing available in the divisions concerned is inadequate for the local cattle and little grazing can therefore be made available for cattle outside the local limits;

"(2) the cattle of villagers living on the margins of the forests are considered entitled to cheaper grazing than are cattle which belong to people who live at a distance from the forest and which are often maintained largely for trade purposes."

Sri M. G. NATESA CHETTIYAR:—"May I know, Sir, when grazing facilities are not sufficient for local cattle, how the higher charge for outside cattle would provide grazing facilities for the local cattle?"

Sri N. S. VARADACHARIAR:—"It is only to help cattle-owners on the margin of the forests that a lower rate has been fixed for them."

Financial effect on account of working the Prohibition Act in Salem district.

* 278 *Q.*—S. M. LALJAN SAHIB Bahadur: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) the actuals of expenditure for working the Prohibition Act in Salem district till the end of June 1938; and

(*b*) the net loss or deficit in the Government revenue during the above period?

Sri N. S. VARADACHARIAR (Parliamentary Secretary) on behalf of the Hon. Sri V. I. Muniswami Pillai:—"(*a*) & (*b*) The actuals up to the end of June 1938 are not available.

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But the following statement gives the revised estimates for 1937–38 and the budget estimates for 1938–39:—

—	Revised estimate for 1937–38. RS. LAKHS.	Budget estimate for 1938–39. RS. LAKHS.
Additional special staff in the Excise, Co-operative and Police departments	0·35	0·61
Deduct savings due to the abolition of the ordinary Excise staff	— 0·33	— 0·80
Loss of revenue	13·00	26·00
Net loss	13·02	25·81 "

Publication of the result of the research work done by the Agricultural department in regard to the spraying operations to combat the areca-pest.

* 279 *Q.*—Sri K. R. KARANT: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) whether the Agricultural department carried on any research work between May and December 1937 in some centres in the taluks of Puttur and Kasaragod in the South Kanara district with regard to the spraying operations to combat the areca-pest;

(*b*) what the result of that work is; and

(*c*) whether such result has been published for the information of the public concerned in the taluks up till now; if not, why not?

Sri N. S. VARADACHARIAR (Parliamentary Secretary) on behalf of the Hon. Sri V. I. Muniswami Pillai:—" (*a*) The answer is in the affirmative.

" (*b*) & (*c*) The results of the work were embodied in a note entitled 'The Dreaded " Mahali "—A timely warning to areca-growers,' which was published for the information of the public in June last. A copy [a] of the note is placed on the table."

Extension of the grazing fee concession to panchayat forests.

* 280 *Q.*—Sri N. ANNAMALAI PILLAI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) whether the reduction of grazing fees by half granted in the case of Government forests, applies also to the panchayat forests; and

(*b*) if not, whether the Government will extend the concession to panchayat forests also?

Sri N. S. VARADACHARIAR (Parliamentary Secretary) on behalf of the Hon. Sri V. I. Muniswami Pillai:—" (*a*) The answer is in the negative.

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[a] Printed as Appendix I on pages 335–336 infra.

"(b) Panchayat forests are managed by panchayats under an agreement which prescribes the rates of grazing fees and the rent to be paid to Government. When each agreement comes up for renewal the question whether the rates of grazing fees should be revised with reference to the rates now charged for grazing in reserved forests will be examined by the Board of Revenue."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I know, Sir, whether the Government are aware that quite recently in forest panchayat areas the reduction of grazing fees granted by Government with regard to Government forests was not followed?"

SRI N. S. VARADACHARIAR:—"It is possible, Sir."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I ask Government, Sir, whether they propose to issue instructions to forest panchayats to reduce their rates for grazing fees in consonance with the rates issued by Government recently, and more especially where forest panchayats are adjacent to Government forests?"

SRI N. S. VARADACHARIAR:—"No general instructions can be issued. If the case of close proximity is established. the Board of Revenue will consider the case if it is brought before it."

MR. SPEAKER:—"Question No. 281."

SRI A. KALESWARA RAO:—"Mr. Speaker, Sir, the Hon. Minister for Industries and Labour is not well and his Parliamentary Secretary is also absent, and in their absence, the Hon. Minister for Industries and Labour has permitted me to answer questions. I request I may be permitted to answer the questions."

MR. SPEAKER:—"A Member of Government means a Minister and includes any Member to whom such Minister may delegate his functions. The Hon. Minister himself has addressed a letter to the Chair authorizing Mr. Kaleswara Rao to answer questions, because any function of a Minister may be delegated to any Member of the House, and Mr. Kaleswara Rao being a Member of the House can exercise the function of a Minister. Mr. Kaleswara Rao may answer the question."

Decision of Government on the question of establishing co-operative societies in the Agency.

* 281 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether the question of establishing co-operative societies in the Agency to prevent exploitation of the hill folk by money-lenders has been examined by the Board of Revenue;

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(b) whether the Government have arrived at any decision on the question; and

(c) if so, what that decision is?

SRI A. KALESWARA RAO (Parliamentary Secretary) on behalf of the Hon. Sri V. V. Giri:—" (a) The question is still under the consideration of the Board of Revenue.

" (b) & (c) Do not arise."

Proposals for increasing the number of commercial scholarships placed at the disposal of the Commissioner of Labour.

* 282 Q.—SRI E. KANNAN: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether the Government have received any representation to increase the number of commercial scholarships at the disposal of the Commissioner of Labour;

(b) what the total numher of scholarships of this kind now available for the whole Presidency is;

(c) what the number was of applications this year for these scholarships; and

(d) whether the Government have under consideration any proposal to increase the number of scholarships?

SRI A. KALESWARA RAO (Parliamentary Secretary) on behalf of the Hon. Sri V. V. Giri:—" (a) The answer is in the negative.

" (b) Ten.

" (c) Twenty-six.

" (d) The answer is in the negative."

SRI M. G. NATESA CHETTIYAR:—" May I know whether Government have absorbed all the people who have been given scholarships hitherto as employees? "

SRI A. KALESWARA RAO:—" That does not arise."

Constitution of advisory committees to aid the Labour Department.

* 283 Q.—SRI E. KANNAN: Will the Hon. the Minister for Industries and Labour be pleased to state whether Government have constituted advisory committees to help the work of the Labour Department and, if so, on what date the order was passed?

SRI A. KALESWARA RAO (Parliamentary Secretary) on behalf of the Hon. Sri V. V. Giri:—" Yes.

" Orders were issued in G.O. No. 2104, Development, dated 27th August 1938, a copy of which has been placed at the disposal of the Press."

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Grant of previous scales of pay and other privileges to the supervisors of the defunct Kistna District Co-operative Federation since re-employed in the Kistna Co-operative Bank, Limited, Masulipatam.

* 284 *Q.*—MR. D. R. ISSAC: Will the Hon. the Minister for Industries and Labour be pleased to state—

(*a*) (i) whether it is a fact tbat the supervisors of the defunct Kistna District Co-operative Federation submitted an appeal to the Government to cause the Kistna Co-operative Bank, Limited, Masulipatam, to recognize their previous service and allow them their previous scale of pay;

(ii) whether it is a fact that the Registrar of Co-operative Societies, Madras, referred the matter twice to the Central Bank to immediately do justice to them, as what the Central Bank had done was mostly unjust; and

(iii) whether it is a fact that the Central Bank has not done anything in their favour; and

(*b*) if so, what the Government intend to do to meet justice to those aggrieved, who were originally promised to be handed over to the said bank with their previous privileges, by the liquidator of the said federation?

SRI A. KALESWARA RAO (Parliamentary Secretary) on bealf of the Hon. Sri V. V. Giri:—"(*a*) (i), (ii) and (iii) Yes.

"(*b*) The Government are unable to interfere in the internal administration of the Bank."

Action taken by Government in regard to the provision of schools for the hill tribes of the North Arcot district.

* 285 *Q.*—SRI N. ANNAMALAI PILLAI: Will the Hon. the Minister for Industries and Lahour be pleased to state what action the Government have taken in the matter of providing schools for the hill tribes of the North Arcot district?

SRI A. KALESWARA RAO (Parliamentary Secretary) on behalf of the Hon. Sri V. V. Giri:—"There are at present seven schools for the benefit of the hill tribes of the North Arcot district in the places noted below:—

Chengam taluk—	
Malayanurchakkadi	**Panchayat school.**
Pudurchekkadi	**Do.**
Mothakkal	**Do.**
Bondai	**District board school.**
Tiruppattur taluk—	
Naickanur	**Aided school.**
Atnavur (Elagiri Hills)	**Panchayat school.**
Polur taluk—	
Komatiyeri	**District board school.**

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"The difficulty in establishing more schools is that qualified persons are not willing to settle there, in view of the highly malarial character of the tract. The Government have not opened any school so far."

SRI V. S. R. M. VALLIAPPA CHETTIYAR:—"May I ask the hon. Member whether the Tiruppattur taluk referred to in the answer now given is the Tiruppattur taluk in the Ramnad district or in the North Arcot district?"

SRI A. KALESWARA RAO:—"It refers to the Tiruppattur taluk in the North Arcot district."

SRI KALA VENKATA RAO:—"May I know whether educational facilities will be given to them?"

SRI A. KALESWARA RAO:—"Government will consider the proposal."

Powers of the Road Traffic Boards in the mufassal in the matter of granting licences to motor vehicles.

*286 *Q.*—SRI V. M. RAMASWAMI MUDALIYAR: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(*a*) whether Road Traffic Boards constituted in the mufassal are empowered to limit the number of taxis plying in a district;

(*b*) whether they are empowered to give the monopoly of the running of buses on a certain route to a particular service; and

(*c*) whether it is a fact that the Road Traffic Board (North Arcot district) has refused to permit certain applications for taxis to run and if so, the reasons therefor?

THE HON. SRI S. RAMANATHAN (Minister for Public Information) on behalf of the Hon. Sri K. Raman Menon:—"(*a*) The answer is in the affirmative.

"(*b*) The answer is in the negative.

"(*c*) In accordance with the decision of the Road Traffic Board, North Arcot, to increase the number of taxis in the district, three out of five applicants have been granted permits for taxis and the question of issuing a permit to one other applicant is under consideration. No permit has been granted to the fifth applicant as his qualifications and financial stability are not known."

Objection against the system of monopolizing particular bus-routes in the City by the City Motor Service, Ltd.

*287 *Q.*—SRI V. M. RAMASWAMI MUDALIYAR: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(*a*) what the various routes in the City are on which buses are allowed to run and the names of persons or bodies of persons who are running buses on the various routes;

(*b*) whether it is a fact that on certain routes in the City a monopoly is created and no other bus-owner is permitted to run buses;

(*c*) whether it is a fact that the City Motor Service, Ltd., has been granted the monopoly of Triplicane-Mambalam and Broadway-Mambalam routes;

(*d*) whether any other owners of buses are allowed to run on the above routes; and

(*e*) whether any applications to run buses on the above routes have been received and if so, how many and what orders have been passed thereon?

THE HON. SRI S. RAMANATHAN (Minister for Public Information) on behalf of the Hon. Sri K. Raman Menon:—" (*a*) A statement [a] containing the information is placed on the table.

" (*b*) No monopoly has been created by the Traffic Board in respect of any route; but only one company is in practice operating on each of the following routes:—

'Parry's Corner to Theogaroyanagar,'

'Parry's Corner to Aminjikarai,' and

'Theogaroyanagar to Triplicane' routes.

" In the case of the first two routes, this is the outcome of withdrawals or amalgamations between the owners previously operating on the routes. In respect of the third route, it is due to the fact that the company now operating on the route was the first applicant and there have been no subsequent vacancies.

" (*c*) The answer is in the negative.

" (*d*) There are no vacancies on these routes, but no restrictions have been placed on other bus-owners in the matter of applying for vacancies which may occur.

" (*e*) One application was received on 11th May 1938 for five permits on the Tyagarayanagar-Triplicane route, but it was rejected for want of vacancies."

SRI V. M. RAMASWAMI MUDALIYAR:—" May I ask Government, whether, when vacancies arise, these vacancies are filled according to the serial order of the applications received or according to the number of buses put in the line by the companies already operating?"

THE HON. SRI S. RAMANATHAN:—" These considerations along with other considerations will weigh."

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[a] Printed as Appendix II on page 336 infra.

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SRI V. M. RAMASWAMI MUDALIYAR:—" Is it not a fact that a monopoly has been created in certain routes by virtue of these considerations that have been taken? "

THE HON. SRI S. RAMANATHAN :—" I have already said that nobody has been empowered to give any monopoly to any service; nor do we intend to create any such monopolies. If there is any monopoly in effect, it is merely the result of adventitious circumstances."

SRI V. M. RAMASWAMI MUDALIYAR:—" May I ask Government whether they will consider the desirability of issuing instructions so that there will be more than one transport company operating in a particular route to afford better transport facilities to the travelling public? "

THE HON. SRI S. RAMANATHAN:—" I have already said there is no monopoly at all. Nothing prevents a bus-owner to apply for a permit to a particular route whenever vacancies arise."

Measures for stopping animal sacrifice in temples.

* 288 *Q.*—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(*a*) whether the Government have taken any steps to stop animal sacrifices in temples; and

(*b*) if not, whether the Government will consider the desirability of taking steps to stop such practices?

THE HON. SRI S. RAMANATHAN (Minister for Public Information) on behalf of the Hon. Sri K. Raman Menon:—" (*a*) & (*b*) The question whether legislative interference was necessary to prevent the sacrifice of animals for religious rites and usages was considered by the Government and dropped."

SRI G. RANGAYYA NAYUDU:—" May I know the reasons why legislative interference to prevent animal sacrifice was dropped? "

THE HON. SRI S. RAMANATHAN:—" I think, the hon. Member is as well aware of the reasons as I am."

SRI V. VENKATASUBBAYYA:—" May I know whether it is not a fact that there is torture of animals when they are killed at the time of worship of deities or just before such worship? "

THE HON. SRI S. RAMANATHAN:—" There may be torture of animals in such worship but Government regret their inability to prevent such torture."

SRI E. KANNAN:—" Are Government aware that public opinion in the country at present is very strong against animal sacrifice as to justify legislation? "

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THE HON. SRI S. RAMANATHAN :—" If public opinion is potent, legislation will come of its own accord. " (Laughter.)

SRI V. S. R. M. VALLIAPPA CHETTIYAR :—" May I know whether this question was considered by this Government or the previous Government? "

THE HON. SRI S. RAMANATHAN :—" This Government."

AN HON. MEMBER :—" Are Government aware that torture of animals has been stopped in certain municipalities."

THE HON. SRI S. RAMANATHAN :—" I am not aware."

SRI G. RANGAYYA NAYUDU :—" A private Bill was given notice of on this subject by Sri Ramalinga Reddiyar. If so, may I know what has become of it? "

THE HON. SRI S. RAMANATHAN :—" The hon. Member has withdrawn that Bill."

SRI D. RAMALINGA REDDIYAR :—" Not for all time." (Laughter.)

Statistics of habituals and provision of separate accommodation for them in jails.

* 289 *Q.*—SRI D. V. RAMASWAMI : Will the Hon. the Minister for Courts and Prisons be pleased to state—

(*a*) how many 'habituals' are now in Jails;

(*b*) how many jails are set apart for accommodating them;

(*c*) how many habituals such jails are intended to accommodate;

(*d*) whether there is any excess in the number of habituals and if so, how many; and

(*e*) what steps the Government are taking to make the necessary provision of accommodation for such habituals?

THE HON. SRI S. RAMANATHAN (Minister for Public Information) on behalf of the Hon. Sri K. Raman Menon :—

" (*a*) The number of habitual prisoners on 17th July 1938 was 2,476.

" (*b*) The Central Jails in Salem and Vizagapatam.

" (*c*) There is accommodation for 1,821 prisoners in the two special jails.

" (*d*) 655.

" (*e*) Rule 219, Part II of the Madras Jail Manual, provides for accommodating habituals in other jails. The Government are further considering the question of accommodating the habituals."

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Proposals, if any, for the abolition of courts in the West Godavari district.

* 290 *Q.*—SRI GRANDHI VENKATA REDDI: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(*a*) whether there is any proposal to abolish any Courts in the West Godavari district; and

(*b*) if so, what they are and when they will be abolished?

THE HON. SRI S. RAMANATHAN (Minister for Public Information) on behalf of the Hon. Sri K. Raman Menon:—" (*a*) & (*b*) There is no proposal at present to abolish any of the permanent courts in the West Godavari district."

Amalgamation of the bifurcated district boards of Guntur and Nellore.

* 291 *Q.*—S. M. LALJAN SAHIB BAHADUR: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) when the district boards in Guntur and Nellore Revenue districts will be amalgamated; and

(*b*) for what reasons amalgamation is delayed in these two districts?

THE HON. SRI B. GOPALA REDDI:—" (*a*) The district boards in the Guntur and Nellore Revenue districts have already been amalgamated.

" (*b*) The question does not arise."

Action taken on the resolutions of the Provincial Conference of Panchayats held in January 1938.

* 292 *Q.*—SRI D. V. RAMASWAMI: Will the Hon. the Minister for Local Administration be pleased to state what action the Government have taken or propose to take on the resolutions passed at the Provincial Conference of Panchayats held at Madras in January 1938?

THE HON. SRI B. GOPALA REDDI:—" The resolutions passed by the Madras Presidency Panchayat Conference are being considered in connexion with the proposals for the enlargement of powers of village panchayats."

SRI D. V. RAMASWAMI:—" May I know whether the matter will be expedited, as the matter is one engaging the attention of the public? "

THE HON. SRI B. GOPALA REDDI:—" It will be considered."

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Resolution of the conference of chairmen and vice-chairmen of municipal councils held at Vizagapatam recommending the abolition of the office of municipal commissioners.

* 293 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) whether the conference of municipal chairmen and vice-chairmen held at Vizagapatam passed any resolutions requesting the Government to abolish the office of commissioner;

(*b*) whether the Government have considered this resolution; and

(*c*) if so, what the result is?

THE HON. SRI B. GOPALA REDDI:—" (*a*) The answer is in the affirmative.

"(*b*) & (*c*) The implications of the resolution are under consideration."

Objections to the construction of the Murappanad bridge across the Tambraparni and the diversion of the funds so allotted for rural communications.

* 294 *Q.*—SRI K. P. YEGNESWARA SARMA: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) whether it is a fact that the Government of India opposed the construction of the Murappanad bridge across the Tambraparni in the Tinnevelly district, and, if so, for what reasons;

(*b*) whether it is a fact that the Government of Madras have sanctioned a half-loan and a half-grant to the district board from provincial funds for the construction of the bridge;

(*c*) whether the district hoard has already decided to start work shortly;

(*d*) whether Government have received any representations suggesting the dropping of the proposal and the utilization of the available money for rural communications instead; and

(*e*) whether Government will consider the advisability of dropping the proposal in favour of rural communications which may be urgently needed in the district?

THE HON. SRI B. GOPALA REDDI:—" (*a*) The Government of India considered that the proposed bridge would seriously affect the railway traffic between Tinnevelly and Tuticorin. They therefore refused to agree to finance the scheme from the Road Fund.

" (*b*) The Government have decided to finance the scheme from Provincial Funds on a half-grant, half-loan basis, recouping the expenditure later by the levy of tolls after the construction of the bridge. An initial grant of Rs. 15,000 has been sanctioned in 1938–39.

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" (c) The answer is in the affirmative.

" (d) A suggestion to this effect was made by Sri K. P. Yegneswara Sarma (the present interpellator).

" (e) Government have considered the suggestion and have decided not to accept it."

Proposals for the provincialization of the service of District Board Secretaries.

* 295 Q.—Sri D. RAMALINGA REDDIYAR: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether there is any proposal with the Government to provincialize the posts of Secretaries in the district boards of the Province of Madras; and

(b) if so, when?

The Hon. Sri B. GOPALA REDDI:—" (a) & (b) The matter is under consideration."

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—THE MADRAS MINOR PORTS FUND BILL, 1938.

* The Hon. Mr. YAKUB HASAN:—" Mr. Speaker, I beg to introduce the Bill [a] to provide for the disposal of the balance to the credit of the Minor Ports Fund in the Province of Madras and move—

'*that the Bill be referred to a Select Committee consisting of the following members and that the Select Committee be instructed to report on or before the 5th December* 1938:—

(1) *The Hon. Sri C. Rajagopalachariar.*
(2) *Sri Diwan Bahadur A. Appadurai Pillai.*
(3) *Mr. J. Nuttall.*
(4) *Sri C. J. Varkey.*
(5) ,, *T. T. Krishnamachariar.*
(6) ,, *N. S. Varadachari.*
(7) *H. S. Hussain Sahib Bahadur.*
(8) *Sri M. Pallam Raju.*
(9) ,, *A. Vedaratnam Pillai.*
(10) ,, *A. B. Shetty.*
(11) *The Hon. Mr. Yakub Hasan (Mover).*'

" Funds in connexion with the minor ports fall under three main categories:

(1) Minor Ports,
(2) Landing and Shipping, and
(3) Pilotage.

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[a] First published in the *Fort St. George Gazette*, Extraordinary, dated 12th August 1938, and republished in the *Fort St. George Gazette*, dated 4th October 1938.

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" I need not mention the Lighthouse Fund, for that is administered by the Government of India. There is one Pilotage Fund for Pamban and Kilakarai and another for Mangalore.

" Port dues are levied on the tonnage of the vessels that enter the ports. The purpose on which the port funds may be expended are as follows:—

(1) Pay and allowances of port employees;

(2) Cost of beacons, lights and all other works maintained chiefly for the benefit of vessels being in, or entering, or leaving the port, or passing through rivers or channels leading thereto;

(3) Pensions, allowances and gratuities of port employees;

(4) Contributions towards seamen's hospitals, sanitary superintendence, and medical aid for the shipping in the port, and for seamen;

(5) Contributions towards sailor's homes, institutes, coffee houses and rest houses, and for other purposes connected with the health, recreation and temporal well-being of sailors.

" The Madras Outports Landing and Shipping Fees Act, 1885, does not lay down a list of objects on which the income from landing and shipping fees may be spent. It has to be inferred that all expenditure not chargeable to the Minor Ports Fund under section 36 (5) of the Indian Ports Act should fall primarily on the landing and shipping funds. Construction and maintenance of wharfs, warehouses, jetties, piers, groins, purchase of dredgers and dredging and the like, for example, would appear to fall under that category.

" After the passing of the Indian Ports Act, 1889, leaving out Madras, all ports were divided into Eastern and Western groups, and ten district funds were maintained in the East Coast and two in the West Coast. The existence of separate funds for the two groups was found not conducive to proper financial administration, and it involved heavy work in the maintenance of proper accounts. These funds were therefore amalgamated and one Minor Ports Fund was formed on 1st April 1905.

" The Cochin Port Fund was separately constituted in 1922; a Port Trust was constituted for Tuticorin in 1924 and its port fund was separated then; the port funds of Vizagapatam and Gopalpur were subsequently separated.

" The average receipts under port dues for the last three years were Rs. 5·2 lakhs. The average ordinary charges for the last three years amounted to Rs. 3·52 lakhs. There was thus an average surplus of Rs. 1·68 lakhs. The surplus accumulated from year to year in the Minor Ports Fund. This surplus stood at Rs. 5¼ lakhs in 1905, Rs. 20 lakhs in 1912, Rs. 35 lakhs in 1931

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and is about Rs. 60 lakhs to-day. The average interest per year on the accumulated balances for the last three years amounted to Rs. 2·55 lakhs. It will thus be seen that interest has made substantial addition to the Minor Ports Fund from year to year. The size of the balances seems to have attracted the attention of the Government from time to time. It was thought that the reduction of the port dues would have no appreciable effect on trade; still the port dues on foreign vessels were reduced.

from 4 annas per ton to 3½ annas in 1930,

from 3½ annas to 3 annas in 1934, and

from 3 annas to 2½ annas in 1936.

"In the year 1905 when (1) Minor Ports Fund; (2) Landing and Shipping Funds and (3) Pilotage Funds came into being, it was laid down in a Government Order that in future the only transactions between the funds would be of the nature of loans, interest being charged at 3½ per cent.

"There are 54 minor ports in this Presidency under the control of this Government. Of these, 15 are principal minor ports not including Tuticorin which is under a separate Port Trust Board. Landing and shipping fees are levied at 12 ports for each of which there is a Landing and Shipping Fees Committee or the Port Conservancy Board. Every Landing and Shipping Fees Committee always has a substantial balance at its disposal and their surpluses are invested in Government paper. In the Budget Estimate for 1938–39—

	RS.
Masulipatam has a balance of	89,000
Mangalore	1,25,000
Calicut	3,20,000
Cuddalore	3,30,000
Cocanada as much as	14,00,000

"The Landing and Shipping Fees Committees have been generally able to meet their capital requirements from the funds at their disposal. For example, there was a proposal in 1935 for building groins at Cocanada at a cost of Rs. 4 lakhs; this was financed entirely from the Landing and Shipping Funds which were in a sound position. Although according to the orders of 1905, the Government were not bound to give any grants to the Landing and Shipping Fees Committees, they adopted a benevolent attitude towards these Committees and grants and loans were given in proportion and to the extent of their needs. For example, Cuddalore resolved to purchase a suction dredger in 1934 at a cost of Rs. 1½ lakhs. The Committee was allowed to utilize for this purpose the free grant of half a lakh which was made for turning the Paravanar river flowing into the port and the balance was met from the Landing and Shipping Fund. A loan of

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Rs. 3·31 lakhs and a free grant of one lakh were given to Calicut in 1912 for constructing two piers which were estimated to cost Rs. 5½ lakhs. Similarly, a half-grant was made from the Minor Ports Fund to Mangalore for the provision of a dredger and a dry dock costing Rs. 3,35,000.

" These and other grants and loans were spread over a number of years. The average of loans and grants in the last three years was about one lakh, and this was made out of the average surplus of Rs. 1·68 lakhs for the last three years.

" The Landing and Shipping Fees' Committees are allowed to raise the landing and shipping fees to meet interest on the loans that they raise. They can also reduce the fees whenever they find that by doing so they can attract more traffic to their ports.

" The Presidency Port Officer, who is in charge of all the minor ports, has been making proposals from time to time for the improvement of the ports and for the provision of facilities that were calculated to improve the traffic. Every proposal was examined on its merits, and if any proposal was turned down, it was for very good reasons and because no justification was established for the expenditure. No proposal was, however, rejected on the plea of want of funds. Practically every proposal put forward by the Presidency Port Officer in recent years has been accepted. It cannot, therefore, be said that the accumulated balances have mounted up to the present figure in the last 33 years because the Government have neglected the minor ports in the past and have been niggardly in the matter of responding to the needs of the minor ports.

" The publication of this Bill in August last appears to have acted as a bomb-shell. People think because the Government are losing much revenue on account of prohibition they are searching every nook and corner and trying to grab whatever funds may be found within their grasp, irrespective of the fact whether the Government have a title to it or not. It is legitimate on the part of the people living near the minor ports to ask the Government to carry out certain proposals with a view to improve the ports from the available funds. But, I am constrained to say that it was unbecoming on their part to attribute sinister motives to the Government and lodge a protest against what they alleged to be misappropriation.

" The most uncharitable detractor of the Government cannot allege that the Government are unaware of the important part that the ports play in the development of trade and the distribution of the commodities and also how far the prosperity of the Province depends on these ports. I heartily welcome the interest that people have suddenly begun to take in the fortunes of the minor ports; all the proposals that they have submitted, and the schemes that the Presidency Port Officer has proposed are being very closely examined.

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"I have visited several ports myself in the course of the last three months; I have acquainted myself with their present position and have discussed with Port Officers, Conservators, leading local merchants and others, the requirements of each port that I have visited. This is not an occasion for me to go into detail or say anything by way of illustration about the extravagance or unfeasibility of some of the proposals. Even if all the proposals that have been so far submitted by the Presidency Port Officer and others are found feasible and their necessity established, the contribution that the Minor Ports Fund may be called upon to make in the shape of grants, and loans will not exceed Rs. 12 lakhs. The investigation, preparation of plans and estimates, and the execution of the schemes will in the usual course take ten to fifteen years. I have already shown that in the last three years, there has been an average annual surplus of Rs. 1·68 lakhs and the average contribution from the Minor Ports Fund in the shape of loans and grants in the same period has been about one lakh. Thus all the contemplated schemes can be carried out in the course of the next decade from the annual surpluses, and no funds need be kept apart for them.

"You would naturally like to know why the permanent balance that is proposed to be left in the fund has been fixed at 5 lakhs. I have already shown that the normal average receipts are Rs. 5·2 lakhs and average ordinary charges, Rs. 3·52 lakhs; and contribution of grants and loans, loss in investments, etc., amount to Rs. 1·55 lakhs. The total disbursement is Rs. 5·17 lakhs against total receipts of Rs. 5·85 lakhs, not including interest on accumulated balance. The permanent balance will, therefore, be the equivalent of one year's normal receipts and expenditure.

"The Government propose to take power through the proposed legislation to transfer to the credit of the general revenues of the Province any balance that may exceed 5 lakhs in the Minor Ports Fund. This does not mean that 55 lakhs out of the Rs. 60 lakhs that now stand in the Fund will be transferred at once to the general revenues. A part of this money will be available to the Government for utilization on any purpose connected with ports which the Government may deem fit in any year or years.

"As minor ports are now a Provincial subject and the Provincial Government are responsible for their proper administration, the Government have every title to the balances that may exceed the permanent balance of 5 lakhs any year, and the Government will be justified to treat it as Provincial revenue just as customs and excise revenues are treated as Central revenues. The Government need not lay this down as their considered policy for the future. But as far as the present accumulated balances are concerned, there can be no doubt that Government have every right to dispose of them as they deem fit.

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"The matter is very simple and five days are quite ample for the Select Committee to give it its full consideration and submit its Report."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"Mr. Speaker, before the House proceeds with the consideration of the motion for referring the Minor Ports Fund Bill to the Select Committee, with your permission, I rise to offer a word of explanation on behalf of the Leader of the Opposition. The House will be aware that last evening, it was to suit the convenience of the Leader of the Opposition, that the Hon. the Premier was kind enough to agree to the consideration of this Bill being postponed to this day. Therefore, the Leader of the Opposition thinks that an explanation is due to this House as to why he is absent to-day, and he has authorized me to make this statement on his behalf that he is unable to be present, as he is confined to bed under medical advice. I offer this explanation to you, Sir, and to the House on his behalf." 4-15 p.m.

* H. S. HUSSAIN SAHIB BAHADUR:—"Mr. Speaker, I beg to move—

'*that the Madras Minor Ports Fund Bill*, 1938, *be circulated for eliciting public opinion*.'

"On the last occasion, when the Government attempted to introduce this Bill even without sufficient publication, it was thought, not only by some Members of this House, but also by the public at large, that the Government had some motive in trying to push the Bill through in such great haste. Therefore, there was naturally some room for suspicion that the Government had some sinister motive in their mind. But I am glad that the Hon. Minister has to-day dispelled the suspicion that was created by the attitude of the Government on the last occasion.

"Sir, so far as I know, there has not been any support from any quarter in this country for the proposed measure. On the other hand, I may say that from all quarters, at any rate from the quarters that are vitally interested in this piece of legislation, protests and memorials have been sent up to the Hon. Minister. Therefore, there is a considerable volume of public opinion against the proposed legislation in respect of the funds standing to the credit of the minor ports in this Province.

"Sir, the Hon. Minister said that these minor ports are now under the Provincial administration. We are glad that this popular Government is now administering the minor ports. That is all the more reason, therefore, why this popular Government should, instead of diverting the funds lying to the credit of the minor ports to other purposes, try to improve the minor ports with those funds and increase the landing and shipping facilities in those ports. It should be possible with these funds to convert these minor ports into first-class harbours and add to the commercial prosperity of the Province. Therefore, my humble submission is that these funds should not be diverted to other purposes for any reasons whatsoever.

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" Sir, these minor ports are like minors under the guardianship of the present Government, and so it is the duty of this popular Government to improve these ports with the funds which have accumulated to their credit. The numerous protests and memorials which have been addressed to the Government from all quarters show that the public are against the diversion of these funds. The Government, I hope, will pay due regard to the opinion of the public. They want that with these funds the minor ports should be improved. They are now in a neglected condition. As an illustration of what I say, I may mention the instance of the minor port of Malpe, which the Hon. Minister was kind enough to visit the other day. I am sure that from the neglected state of this minor port, without any landing or shipping facilities available—there is not even a jetty there—the Hon. Minister must have realized the urgent need for improving this port. I may mention in this connexion that a British firm of engineers somewhere about the year 1917 sent out their expert, Colonel Ducane to survey this port with a view to improve it, and I understand that he has prepared an estimate for the same costing Rs. 103 lakhs. When our minor ports could be improved and when such improvements would cost much more money than what is lying to their credit, I cannot understand why those funds should be diverted to other purposes. As regards the minor port of Malpe, Sir, it must be noted that it is the nearest port in India for the Western countries—Europe, Africa and Arabia. Therefore, when we have got such important ports to develop, there is no justification for taking away the funds available for that purpose, for other purposes.

" I may also mention in this connexion, Sir, that the Native States of Mysore and Hyderabad are in need of outlets to the sea and they want some port in this Province either on the East Coast or on the West Coast. Malpe is said to be most suitable for the purpose. But, Sir, it is not and should not be the policy of our Government to hand over any of our ports to any Native State. When the Native States are prepared to spend money and improve our ports, there is no reason why this Government should not utilize the accumulated funds available and make our minor ports first-class harbours with decent landing and shipping facilities. The Government should not in any case take away these funds which have accumulated to the credit of these minor ports, especially when there is no support from the public for such a step.

" The Hon. Minister admitted in his speech that these ports are important for trade purposes and that the people living in and about these ports are very much interested in them. But his conclusion from these facts was that these people have set up this agitation against this Bill. It is not so. It is not merely the people who are living in and about these ports that are interested in their development, but the people of the whole Province are interested in them as these ports serve the whole Province—the people of the interior as well as the people on the coast. There

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is any amount of wealth in our forests and other wealth in the interior, and these can be successfully tapped only if the ports are in good condition. Therefore, this is a question which vitally concerns the economic well-being of the whole Province, and not merely of the people in the neighbourhood of these ports. Export trade is an important factor for the prosperity of the whole Province, interior as well as exterior. Therefore, Sir, though I am aware that my motion for circulation may not be successful, still I feel that it is my duty to move this motion for the circulation of the Bill for eliciting public opinion. Of course, the Government have got power to do as they like. They possess the strength of a giant; but in regard to these minor ports—they are minors literally—they should not use that strength like a giant but should try to protect the interests of these minors. It would be highly inequitable and unjust to deprive these minor ports of their legitimate right. Funds have accumulated from the income derived from these minor ports, and it is wrong to rob them of the same. With these words, I move that the Bill be circulated for eliciting public opinion."

The motion was duly seconded.

* KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—" Sir, if I rise to speak on this motion it is not with the idea of embarrassing the Government. My idea is only to help the Government. For, I know the situation of the Government. Under the Indian Ports Act of 1908, the Minor Ports Fund should be utilized for the purpose of the minor ports, for the purpose of developing them. Only when the funds are not required for such purposes, can they be transferred. It has been pointed out that there is a large surplus available, that all the 60 lakhs in the fund are not necessary for these ports, that 5 lakhs would be enough to keep these minor ports in order and that the rest can be transferred to the general revenues of the Province. Now, we have to consider how such a large sum as Rs. 60 lakhs accumulated and whether that amount can be diverted. Now, the Government want to divert this Fund for other purposes. The 4-3 p.m.
reason for such a large accumulation is that the Government have so far neglected to improve and do the necessary repairs to the harbours of these ports, and to jetties and such other things that are very necessary for the trade and commerce of this Province. On account of the neglect to attend to these things, many of the minor ports have ceased to be ports at all, and a few of them which were accessible to large vessels are now only accessible to small vessels. The net result is that imports and exports have decreased and the development of the country has been retarded. There are several minor ports on the West Coast including the district of South Kanara. I know several of them personally. In my own taluk of Kasaragod, there are three minor ports called Manjeshwar, Kumla and Kasaragod. In the case of the first two,

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customs collectors have ceased to exist. Formerly, there were customs officers appointed to these ports. Now on account of the neglect to make improvements and repairs to these ports, they have become silted up and no vessels can get into them. In the case of Kasaragod which was accessible to big vessels in the past, now only small vessels can touch that port. The other day when the Hon. Minister visited Kasaragod, he went and inspected the port there and found from the accounts kept that ten or fifteen years ago, the income from the port was more than a lakh and that it has now come down to less than half a lakh. Decrease in exports and imports means decrease in the wealth and prosperity of the Province. That, of course, the Hon. Minister himself has admitted, and the Government also realize that the maintenance of such ports in good condition is very necessary for the prosperity of the Province. If the Government want to restore these ports to their former condition and to increase the prosperity of the people, they will have to spend all the 60 lakhs and perhaps more for purchasing dredgers, and for building jetties and wharfs, etc. Of course, I know that the Government require large sums of money to meet other demands which they are unable to meet from their existing resources. But on that account, if they touch this money, in my humble opinion, it would amount to adopting the penny-wise and pound-foolish policy. It is not possible for me to prevent them from doing what they like, if they are determined to do so. But I do not think that this Government are not amenable to reason. I am placing these facts before them, so that they may consider them calmly and do what they think best in the circumstances. It is true, Sir, the Government are in need of money and therefore they propose to transfer this Fund to their general revenues; but if they do so, they will be drying up a fertile source of revenue. It will be like a thirsty man drinking salt water; it will only increase his thirst. If the prosperity of the Province is increased by improving these minor ports and by keeping them in good condition, the Government will get more and more income and their coffers will be filled. Therefore, I respectfully request the Government to see whether they cannot spend this money for the improvement of these ports, and for purchasing dredgers for clearing the silt of these ports which are now silted up and shallow and which are not so accessible as they were before. I only wish to conclude by appealing to the Government to consider all these facts and do the needful, and not to adopt the policy of killing the goose which lays the golden eggs. I conclude with the request that the Government will bestow their earnest consideration to this matter."

Mr. J. NUTTALL:—"Mr. Speaker, I expected, when I came here this afternoon, to hear from the Hon. Minister very good reasons as to why he wished to divert the majority of this particular Fund which amounts to over 60 lakhs of rupees to

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general revenues. He has told us, in introducing his Bill, that for the past three years, the Fund has increased by a certain sum of money. He has also told us that the Fund has increased since 1905 from 5 lakhs to 60 lakhs of rupees. He has not explained why there has been this considerable increase. I hoped he would be able to satisfy this House with reasons for this big increase in the Minor Ports Fund. The Hon. Minister, I think, would have satisfied the majority of members if he could have laid before us a better case for taking away from this Fund the money which does not belong to the Government. He has explained at some length that there also exists a Landing and Shipping Dues Fund. I would like to explain that this particular fund has nothing whatsoever to do with the cost of maintenance of the minor ports so far as those costs relate to keeping open the ports for shipping. It has occurred to me that since the Hon. Minister has mentioned this point, he is linking together the two entirely separate funds for a definite object. His reasons for doing so are obvious. The main reason seems to be that he wants to run away with somebody else's money. He has told us that every proposal in connexion with the requirements of the minor ports have been carefully considered. I deny that statement, because the information that I have obtained from practically all the minor ports of the Presidency does not bear out his announcement. He has also stated that the Government are fully aware of the needs of the minor ports. In fact, he has paid one or two visits to these minor ports and apparently because of this, he has been able to ascertain exactly what money is necessary for their improvement. I had hoped that the Hon. Minister would have been able to tell us exactly how much should be spent and what the minor ports' needs are at the present time. No doubt, these details are receiving very careful consideration in the hands of the Government.

"It was very helpful of the Government to have taken no further action after the Hon. Minister first attempted to introduce this Bill during the last session of the Assembly. We thank the Government for giving us time to consult interested parties and to examine so important a matter. The European group has gone very fully into the implications of the Bill and if you will bear with me, I am sure I shall be able to convince you that the Minor Ports Fund should remain at its present figure, and that it should not be raided in this outrageous manner. I should like to refer to a statement made by the Hon. Premier on Monday in connexion with the Public Health Bill. He said that the length of that Bill was its saving grace. I am afraid that the Hon. Minister cannot say the same about this Minor Ports Fund Bill which contains little more than thirteen lines. Why this Bill should be referred to a Select Committee, I cannot understand. I cannot follow the Government's intentions, nor do I see the necessity for referring the Bill for further public opinion. If

every member who wished to express views on this measure, had studied its implications during the last three or four months, and if every one had taken the same interest in the subject as the members of the European group, I am quite certain that we should be able to defeat the objects of this Government.

" Sir, I would first like to deal with the equity of expropriating 55 lakhs for general revenues. The money does not belong to the Government. I would strongly oppose any such form of legalized theft. No funds in the hands of the Government would be safe if this House allows them to take over this Fund."

4-45 p.m. * THE HON. SRI C. RAJAGOPALACHARIAR :—" It means robbery and not theft. The Hon. Member means robbery and not theft."

* MR. J. NUTTALL :—" I substitute 'robbery' for 'theft'."

MR. SPEAKER :—" Day-light dacoity ! "

* MR. J. NUTTALL :—" I must ask hon. Members of this House to consider what will happen to any fund in this Province if the Government suddenly decide to raid it."

MR. SPEAKER :—" Does the hon. Member deny the right of the Government to take the fund? "

* MR. J. NUTTALL :—" Government have every right; but what I am objecting to is the exercise of that right; it should be the concern of the Government to exercise their power in an honest and strightforward way."

* THE HON. SRI C. RAJAGOPALACHARIAR :—" This is carrying things too far; it is all right to describe one's views in frank terms; it is right generally to trade upon the treasure of good humour, but when it is repeated a little too far, it may become unparliamentary also."

* MR. J. NUTTALL :—" I am very sorry if I have departed from the use of parliamentary language but I am afraid my enthusiasm over this matter is responsible for carrying me away.

" I would refer the Government to certain special funds which appear on page 151 of the Administration Report of 1936-1937. If the Government find themselves in a difficult position to meet their budget requirements, they might take over the Minor Ports Fund and other funds also to the extent of Rs. 128 lakhs. A number of the special funds mentioned in this report would greatly interest members of this House; for instance, there is the Andhra University Fee Fund amounting to Rs. 46 lakhs. That would be an attractive nest egg if the Government found themselves in any further difficulty! I would merely remind the Government that there is in addition to the Minor Ports Fund, a total sum of Rs. 128 lakhs belonging to various other

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special funds which they might like to take some time or other! I do not know what the Andhra people would say if they suddenly found themselves deprived of their University Fee Fund; perhaps, members concerned will express their opinion on such risks.

" I would say this, if revenues are down or expenses up, it is only proper to follow the Hon. the Prime Minister's policy which he defined when he introduced the last budget. He said that advance in this Presidency's position was built on the basis of soundness together with financial rectitude. I am afraid I should not use the word ' rectitude ' in regard to Government's policy over the Minor Ports Fund. I can think of a similar sounding word to take its place but the Hon. the Prime Minister might not like it. I do feel, however, that the principle of rectitude should be applied to the Minor Ports Fund.

" I have one very important point to make here and that is that if the Government take any portion of the Minor Ports Fund, it is immediately creating a new form of taxation. The dues received from minor ports and the landing and shipping fees should be utilized for improving the ports. Now, if the Government are to raise revenue by means of port dues, it means that port dues in future will be an additional taxation. I have more to say later on this particular point.

" Then again, if this Bill is passed, it will give the Government unlimited powers to raise taxation by way of port dues, and this will be a considerable hardship to trade and commerce. Additional taxation of this kind is definitely very unfair. I thought the Hon. Minister, when he introduced the Bill, would be able to say why the Government require Rs. 55 lakhs. I noticed from a report which was published some time ago that expenditure so far, in the first half of the budget year, is down by Rs. 3·09 lakhs and that revenues are down by Rs. 27·96 lakhs making a deficit of Rs. 24·87 lakhs. I am subject to correction in regard to these figures; I have taken them from a press report recently published. How the year will end, we do not know. The Government seem to have thought that Rs. 55 lakhs would help them very considerably; they may even be thinking that this amount is not enough. I hope that the other funds to which I referred a little while ago, will not be dealt with in the same way as the Minor Ports Fund. I am afraid this intervention or proposed intervention of the Government in regard to the Minor Ports Fund is characteristic of the Government's intervention in commercial and semi-commercial undertakings such as the post office and electric supply; the consumer gets far too little consideration and his interests are sacrificed because of the desire of the Government to increase revenues. The Government like raiding profit-making concerns as it provides revenue that has not got to be voted.

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" I think I have said sufficient to show that it is not reasonable or right for the Government to expropriate Rs. 55 lakhs from the Minor Ports Fund.

" I would like to describe to this House the position of the minor ports in relation to the major ports. I would also like to inform the Hon. Minister of the importance of the minor ports. Taking the trade of the minor ports as a whole, they are responsible for as much trade as the Port of Madras has handled, and the Madras Port does one-third of the imports and exports trade of the whole of this Presidency. Therefore, the minor ports themselves and the other major ports have done two-thirds of the trade. Actually minor ports have done more trade during the past ten years than Vizagapatam, Cochin and Tuticorin put together. Despite the assistance which ports like Vizagapatam and Cochin receive from the Central Government, the minor ports have been able to maintain their trade.

" Unfortunately I have no figures of the port dues in any major port other than Madras. For the same volume of trade the major Port of Madras collects only one-fifth of the port dues paid at the minor ports. This is a point which the Government would do well to examine.

" Then again, the major ports have never subscribed anything towards the Central or Provincial revenues. On the other hand, the major ports have heen very heavily subsidized by both the Local Government and the Central Government. Madras alone has received free gifts from the Central Government totalling Rs. 111 lakhs but the minor ports have been given nothing at all; yet what little they have saved is sought to be taken away from them. In addition, they are to be expected to contribute to the general revenues of the Province, while the major ports are to be exempt from any such contribution. I submit, Sir, that it is not fair for the Government to treat the minor ports in this manner. The major ports could not be maintained unless all the revenues they collect were devoted to their needs, plus additional free grants from the Central Government. The minor ports are apparently to be given no consideration in relation to the benefits the major ports enjoy.

" Another point when comparing the major ports with the minor ports is this: The charges are very much higher; insurance rates at minor ports are $12\frac{1}{2}$ to 25 per cent greater; therefore trade and commerce is considerably handicapped, as compared with that passing through major ports. I would like to quote an instance in order to stress this point because I do not think it is fully appreciated. Of the business in groundnuts, which is very considerable in this Province, the minor ports are handling 77 per cent of that trade as compared with the remaining 23 per

cent that passes through all the major ports. You will see, therefore, if you examine carefully the difference between the position of the major ports and the minor ports, there is a very sound reason for the maintenance of the existing fund.

" I now come to the question of the administration of the Fund, about which I hoped to hear more details from the Hon. Minister. I would say, from the figures I have examined, that the Government have been asleep over the matter; they appear to have done nothing at all. Up to a few years ago, the Presidency Port Officers were equally ineffective and indifferent to the needs of the minor ports. Some liveliness has, however, taken place during the last two or three years, and the Presidency Port Officers seem to be spending a little more money on the minor ports, but they have not received any substantial help in the form of improvements. Appeals from Port Conservators in minor ports have either been turned down or shelved, and my information is that those appeals had all been turned down on grounds of financial stringency. That is the opinion held by officials and others in charge of the minor ports.

" The Government have followed a very indifferent policy in 5 p.m. the past. I do not particularly blame this Government for what has gone on for some considerable time. There has been a complete absence of organized surveys and resurveys and a lack of attention to ports' requirements. This, I submit, is entirely out of keeping with the most pressing requirements of trade. Those who have subscribed to this Fund and those who are interested in it should have an opportunity to express their opinion on the disposal of the Fund which has accumulated. They have never been allowed to state their views and a number of minor ports have not realized that such a big reserve was available; otherwise they would not have been satisfied with the excuses which have reached them from the Government. The Minor Ports Fund is a contribution of shipping interests made for a particular purpose and the money should be spent accordingly. The minor ports cannot be expected to maintain their water frontage from the landing and shipping dues. This was never intended from the beginning and it was strictly the duty of the Government to see that the Minor Ports Fund was applied to the specific purpose for which it was built up. There has been a tendency in the past to provide very limited capital expenditure on condition that the benefiting port also contributed a certain amount from their own landing and shipping fees account. For instance, there was the case at Masulipatam when they applied for a dredger. This port was informed what the dredger would cost and they were told what the working expenses would be. They were expected to pay the running costs from their landing and shipping fees. That has been the Government's policy which I consider to be entirely wrong. The Minor Ports Fund is solely for

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the purpose of keeping open the ports; and the cost of the dredger and the expenses of its upkeep should be met from this particular Fund. The Hon. Minister has himself pointed out the enormous increase there has been in this Fund. It has amounted to 46 lakhs in fifteen years—or in other words—3 lakhs a year. But the money has not been spent because the Government have made no attempt to find out the requirements of the minor ports. It is true that a reduction of between 17 to 25 per cent has been made in the port dues in recent years. But even so, the Fund has increased due to the fact that the Government have paid no attention to the minor ports nor have they tried to find out what was needed. Now that a valuable reserve has been built up, to my mind the first duty of the Government should be to see that it is properly administered, that improvements should be carried out, and the possibility of reducing the port dues should be investigated. I submit, Sir, that we are entitled to a reduction of port dues at the minor ports by at least 50 per cent even after the immediate demands of the minor ports have been met in full—and I shall have more to say with regard to the demands of the minor ports later on. I think that any rational person will view the disposal of this Fund in that light, and not cripple one-third of the import and export trade of this Province.

" This Bill provides for a minimum reserve of 5 lakhs of rupees. I would ask this House of what use this small reserve of 5 lakhs could be. It is not even enough to set right the damage that might be done to a port in the course of a single night. Yet this House is asked to limit this Fund to so small a sum for all the minor ports of Madras. I submit, Sir, that the House would be entirely unjustified in passing the Bill. If the reserve was depleted, as proposed, the revenues of the Fund in the form of interest would automatically drop by $2\frac{1}{4}$ lakhs annually. If $2\frac{1}{4}$ lakhs per year are lost to the Fund, port dues could not be reduced, but would probably have to be increased in order to provide the money necessary for all the improvements and repairs that have not been carried out in the past. That is not to my mind the right way to deal with the ports' affairs. We have got to look at it from the point of view of what the needs of the minor ports are, and I hope that the Government will look at it from that point of view.

" Trade and commerce through shipping interests—I admit that shipping pays these charges, but they fall on the shoulders of trade and commerce ultimately—have contributed to this very necessary Fund once already. Why should the Government collect the same amount twice? I shall later explain that 25 lakhs should be spent at once and that provision should be made for recurring maintenance charges on capital works. Another very important reason why the present reserve should not be depleted is this: During times of trade depression, the minor ports have

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been able in the past to borrow from this Fund in order to maintain themselves in working order. A very generous Fund is necessary on this account.

"You might think that I am speaking on behalf of vested interests—that charge is often levelled against the European community—but I assure you, Sir, that I do not advance these ideas with this intention. It is entirely to assist the agriculturist that I am opposed to this new Bill. It is easier and vastly less expensive for shipping to call only at major ports. If the minor ports are not to be kept in good condition, their trade would definitely drift to the major ports which are far distant and the agriculturists would not be able to market their produce at competitive rates. Let me explain what would happen if a minor port were closed. I will take the case of Masulipatam—I am sorry to mention this port again but it struck me as an excellent example of what would happen if it were closed. It serves a very big agricultural district and a very important one. The trade would be diverted to Cocanada, and freight to Cocanada from Bezwada is 6 pies per maund more than to Masulipatam. That would mean, the merchant and also the ryot would receive 13 annas 6 pies per ton less for their produce, due to increased haulage charges. Why should the agriculturist run the risk of one of the minor ports being closed? This grave risk will have to be faced if any of the minor ports have to be closed.

"The lessening of port dues would very considerably assist the agriculturist as shipping facilities would automatically give more regular opportunities for despatching goods to other markets. The margin of profit is often so small that the matter of losing ready shipping opportunities may mean a complete loss to the producer. I would like to stress the necessity for the present Fund. Its existence does not mean that the Fund should not or could not have been spent. It has been built up by shipping interests and it is for the purpose of shipping that it exists. I have consulted as many minor ports as I could communicate with, and the Madras Chamber of Commerce have done all they possibly could to find out the views of those interested in this matter. They have all complained of the past indifference on the part of the Government and of the Presidency Port Officers. I should like to mention in detail a number of demands which have been made by many of the minor ports, but owing to the time I have already taken up, I will only give an estimate of their total requirements which amount to about 25 lakhs. The ports did not urge that these works should be executed merely because this Bill had been introduced a few months ago. Their demands were made years and years ago. There are outstanding instances where appeals, petitions and memorials have been sent to the Government to no purpose. The existing Fund is very necessary indeed, if these particular demands are conceded. If the existing Fund

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is retained, the capital outlay I have mentioned can be met and recurring expenditure provided for.

" If, however, the Government wish to place minor ports at a perpetual disadvantage with their big brothers—the major ports—then the passing of this Bill means taxing them out of existence. It must not be overlooked that the Minor Ports Fund contains a reserve for the upkeep of Madras coast lights. About 1¾ lakhs was transferred to this Fund on this account in 1929–30. That has to be deducted from this small reserve which it is apparently the Government's intention to retain.

5-15 p.m. " One further point, Sir, and that is with regard to the port of Gopalpur. It became part of the Orissa Province some few years ago, and this Government paid to the Orissa Government a sum of Rs. 1,46,700 out of the Minor Ports Fund reserve, as compensation, I suppose, for work which was required to be done at this port in future.

" If the Minor Ports Fund is to be reduced to Rs. 5 lakhs, I would like to ask what the new Andhra Province, when it comes into existence, will have to say when they make a claim for their ports' share of this Minor Ports Fund. This Government do not apparently intend to allow the minor ports in the Andhra area to benefit as it happened in the case of Gopalpur.

" That is all I have to say, Sir, and I hope that I have convinced the majority of members in this House of the necessity for the Minor Ports Fund being kept intact. I oppose this Bill being sent to a Select Committee; I also oppose any motion for its being circulated for eliciting further public opinion."

* MR. E. H. M. BOWER:—" Sir, I oppose both the amendment and the Bill. I do not propose to say anything on behalf of vested interests. But having served for a long period as the Conservator of a minor port in the old Ganjam district, and having in this capacity assisted in some small measure the working of the Indian Ports Act, I am interested in the welfare of the minor ports in the Presidency. And I view with dismay the provisions contained in this Bill.

" The hon. Member representing European Commerce has given in great detail a very able exposition of the Opposition case, and it is very difficult to succeed him. But I would lay special stress on one or two points which do require, in my opinion, special emphasis. I would lay special stress on the setting of the Indian Ports Act. I would draw attention to the fact that the Indian Ports Act is a statute enacted by the Imperial Legislature. It was enacted by the Imperial Legislature for a special purpose. The greater part of that Act has been very carefully framed. Secondly, I would also stress the fact that in the year 1908, the relations existing between the Imperial Government and the Madras Government were of such a nature that a

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loose phraseology would not do much damage; for, if the Madras Government in 1908 or at any time between the year 1908 and the grant of Provincial Autonomy had tried to bring forward such a Bill as this, it is very obvious that the Government of India would have given the reply that, although there might have been an ambiguous phrase in the Indian Ports Act, nevertheless, the whole Act should be and had to be construed on an equitable consideration, that that Act was framed for a special purpose and that the Government of India had no intention at any time of allowing any Provincial Government to convert the special Indian Ports Act into a Provincial Revenue Act. That, Sir, would have been the reply of the Government of India at any time between the year 1908 and the grant of Provincial Autonomy."

Mr. SPEAKER:—" Does the hon. Member contend that this Bill is not within the power of the Local Government to bring forward, or that it is *ultra vires* of this Provincial Legislature to enact such a law?"

ABDUL HAMEED KHAN SAHIB Bahadur (sitting):—" He does not say any such thing."

* Mr. E. H. M. BOWER:—" That is what, I say, the Government of India would have said . . ."

Mr. SPEAKER:—" What is the contention of the hon. Member?"

ABDUL HAMEED KHAN SAHIB Bahadur (sitting):—" He does not say it is *ultra vires* or any such thing."

Mr. SPEAKER:—" Other hon. Members should not sit and talk about it. If other hon. Members want to make any observations, they may rise in their places and make a submission. They must observe the rules of the House.

" I want to know from the hon. Member whether he contends that it is *ultra vires* of this Legislature to make such a law as this. Does he contend that in view of the fact that this is brought under the Indian Ports Act which is an All-India Act, this Legislature has no power to make such a law?"

* Mr. E. H. M. BOWER:—" I am not now speaking of the strict letter of the law. I am speaking of considerations of equity. I am merely asking that the people who have subscribed this money should be allowed to use this money for the purpose for which they have subscribed it. I feel, Sir, that it is quite possible that after this debate has been published in the papers, the very first thing that the Central Government would do would be to bring in an Act amending its own Indian Ports Act and delete

this section which is certainly ambiguous. The wording of section 36 (6) on which this Bill is based, runs thus:—

'Subject to the provisions of any local laws as to the disposal of any balance from time to time standing to the credit of the Ports Fund account, any such balance may be temporarily invested in such manner as the Local Government may direct.'

Now, Sir, relying on the words 'subject to the provisions of any local laws as to the disposal of any balance,' the Bill before us seeks to expropriate something like Rs. 55 lakhs. This is the only title that the Madras Government can assert to the possession of this money, viz., the words 'subject to the provisions of any local laws as to the disposal of any balance.'

"May I venture to point out, Sir, that these balances have been accumulated through many years? It is in the nature of a capital fund; and what Government want to do now is to take away this capital fund and to fritter it away, using it as revenue for purposes of general expenditure. That, Sir, is the financial effect of this Bill in the opinion of some of us; that is our honest opinion, though we may be wrong. They want to fritter away this Fund. The Indian Ports Act, as it is, was enacted by the Central Legislature purely in the interests of shipping, and that Act allows of two methods of dealing with the Minor Ports Funds, when those Funds show a large surplus. When the balances get too large, there is a provision in section 34 of the Act which allows a reduction in the rates of port dues. It is, however, a very significant fact that there is no proposal by the Government for a reduction of the rates of port dues, although it is obvious from the speeches we have heard that the dues are far higher than they should be. We are told that something like Rs. 60 lakhs have been accumulated; we are told that it is far too much for the minor ports: the obvious inference is that the dues all along have been too heavy. But there is absolutely no move on the part of the Local Government to reduce the port dues. So far as I can see, the Government by their unwise general policy have allowed Provincial finance to deteriorate until it has reached danger point, and have now deliberately set out to use a reserve accumulated during many years for a specific purpose under a special Act, to bolster up its credit. Not only do they seek to fritter away what is obviously a capital fund, in an attempt to put off financial disaster for another year, but they also appear to consider themselves morally justified in systematically forcing shipping interests in future to pay under a special Act, a special tax, which would be used for general purposes.

"Sir, history repeats itself; and just as Charles I of England raised trouble by his call for ship money, which was money claimed for shipping, in 1634, so the Madras Government are alienating the sympathies of large numbers of the people of this

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Province, especially traders and merchants, by their proposed expropriation of money provided by shipping.

"The second method of dealing with these accumulated funds is obviously to put them to the use for which they were intended specifically, namely, to use them for the improvement of the minor ports and to afford facilities to shipping. I was very much struck by the statement made by the Hon. the Minister that no estimate for the improvement of a minor port had been rejected in the past for want of funds; possibly, they were rejecting estimates for other reasons, such as for instance that the suggested improvements were not necessary, etc. As a matter of fact, as one who has served in a minor port, Calingapatam, I know that these minor ports have never had a fair deal. The truth of the matter is that before the Reformed Governments came in, the Minor Ports' portfolio was in the hands of the Finance Member. And of all Government officials, the Finance Member was naturally the least possessed of the bowels of compassion. His job was to get as much money as he could, but to give as little as possible. And so, Finance Members in the past, instead of looking to the welfare of these minor ports, had allowed small amounts to accumulate for a long number of years. Small wonder, then, that we have to-day a sum of Rs. 60 lakhs. The minor ports authorities themselves have not been active, and this accumulation is the result of their inaction.

"I do not propose, Sir, to take up the time of this House any longer. But I would plead that if the Government must have a large sum of money in a hurry, to maintain their financial stability, there is nothing to prevent them from utilizing the bulk of the accumulated balances in the Minor Ports Fund as a loan, at a low rate of interest. This would be quite in accordance with the terms of section 36 (6) of the Ports Act, and would not violate our sense of justice. To expropriate the money would be morally indefensible; to borrow it would not be unfair."

* SRI T. T. KRISHNAMACHARIAR:—"Mr. Speaker, on behalf of the Indian commercial community, I oppose this Bill. I see no purpose in getting it circulated, and so I oppose the amendment before the House.

"With regard to the facts of the case, the Member representing the European community has placed all the available facts before the House. But what I want to say is that we, as a community, have no desire to quarrel with the Government; we have no desire to import acrimony into the debate; we have no desire to accuse the Government of any particular act of theirs. Therefore, the only reasons which I want to put forward are such as to appeal to them not to take the whole amount away but to leave a fair amount behind for the use of these minor ports. The fact that there is so much of money available, Rs. 62 lakhs, is partly

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due to contributory negligence on the part of the people who have been using these minor ports. The merchants and traders connected with these minor ports were not organized; nobody was interested in the minor ports until such time when the Government thought that they should take away the money from the Minor Ports Fund. It was not really the fault of the present Government that they have created no effective organization for looking into the administration of the Minor Ports Fund and for getting it utilized on necessary improvements for these ports from time to time. There is no use, however, in bemoaning what happened in the past. Our object is to consider what is going to happen in the future. I shall not, after all that has been said by the speakers who preceded me, enter into the ethical part of the question, as to whether the Government are entitled to take the money or not. The Hon. the Mover of the Bill was kind enough
5-30 p.m. to meet some members of the Indian commercial community. The objections of the Indian commercial community were brought home to the Government. The Federated Chamber of Indian Commerce also protested against this diversion of funds. And therefore, all that I want to say is this: do the Government really want to take over all the money left over in this Fund? The fact that has now got to be considered and safeguarded against is, what will happen if these ports need money when a need arises? And, as the hon. Member representing the European community mentioned, the need may arise in one night when a severe storm might cause much damage to a port, involving several lakhs. You know that the minor ports are numerous; the hon. Member representing the European community mentioned that they were 104 in number, and it is quite within the bounds of possibility that several of them might need money on a future date for their requirements. The question is, whether it will be right in the circumstances to leave the Fund with a balance of only 5 lakhs of rupees. A suggestion was also thrown that even if the money is now taken away, the Government would be willing to lend that money back to these ports when they ask for it. I do not suppose that that suggestion needs any further consideration because there is no point in the minor ports borrowing money when need arises and parting with the major portion of this Fund which is ordinarily their own.

"I have nothing more to say with regard to this question except to protest against the manner in which the Government are dealing with this matter of taking away the money without a thorough investigation into the question. It is possible for them to say, 'What are your merchants doing?' It is not possible for them to do anything, because the ports are in different places. I submit that an enquiry should have been set on foot by the Government before they drafted this Bill, and they should have collected statistics to see how much money each port needed for

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its immediate requirements. Here, the hon. Member for the European community pointed out that 25 lakhs are needed and that is a clear indication that money is required by these minor ports. So, the Government should have made a full enquiry, and set apart a certain sum of money for their immediate needs and made ample provision for future needs that they might consider necessary.

"Again, Sir, in regard to the Select Committee that is proposed, possibly they might be able to achieve something; but I am not sure they will be able to achieve much. I would only make a strong appeal to the Government that this case be considered seriously, and the requirements of the minor ports should be taken into consideration before any diversion of funds is made."

* RAO BAHADUR SIR A. T. PANNIR SELVAM:—"Mr. Speaker, the Hon. the Minister for Public Works in introducing the Bill evinced a certain amount of annoyance in that some people were attributing sinister motives to the Government in regard to this matter. Some members referred to misappropriation; the hon. Member representing the European community called it in stronger terms; and you, Mr. Speaker, used a very much stronger term; but I do not propose to call the Government any names. I shall just give an illustration which would correctly represent the action of the Government. A young man with a reputation for economy and good things like that, comes into the management of the affairs of a family which is in fairly affluent or at least solvent circumstances. He is in charge of it for about eighteen months, and so manages its affairs that at the end of the period he finds it difficult to keep the fire in the hearth burning. His wife asks for the wherewithal to get the food ready; his children come to him with their own requests, and his undivided brothers urge their claims. The young man finds himself at his wits' end and is unable to meet their demands. All that he is able to say is this: 'Your requirements are of course absolutely essential, no doubt they must be met, but what am I to do? I have no money left with me.' Well, Sir, in that stage, the young man finds in a dark corner of the house an old and rusty hundi box with the name of a dead and forgotten ancestor of his. He opens it and finds that there is quite a large sum of money in it; at the same time he finds that it was money collected from various people for a very noble object, say a charity or something like that. He coolly appropriates it to himself. Well, what name would you give to this action of that gentleman? Would it be theft, would it be called robbery or dacoity? The position of the Madras Government *vis a vis* this Bill and this Fund which has come to them, stands on the same level as that of the gentleman referred to above.

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"Now, Sir, what is the position of this Government? The Hon. Minister has of course received representations; addresses might have been presented to him with demands for this, that and so many other things. He might as usual have replied to them: 'All the things that you want are very necessary; they might be done; but what are we to do? We have introduced prohibition in the Salem district; we have extended it to two other districts, and we propose to extend it still further in due course. There are so many other schemes to be put through; and we have no money for all that.' Going through the various sections of the Indian Ports Act, unfortunately for the ports and fortunately for the Government, they have found a section which says that port funds could be used for particular purposes prescribed by local laws. They have immediately clutched at it and now say, 'We shall create a local law, which is not existing at present, for the utilization of this Fund.' With what object? Not for the objects prescribed under section 36 of the Indian Ports Act. That section says that the local law shall prescribe the purposes for which that Fund can be used. You do not specify the purpose. You would not be satisfied with anything short of putting it in your general coffers, to be used by you at your discretion, in whatever manner or method you would like to use it. I am not sure if a clause like that giving general powers to the Government to use it for any purpose they like, without specifying the object for which that surplus Fund should be utilized, would be legal. I am sure the Government would have taken the advice of their legal adviser, the hon. the Advocate-General, and it would be temerity on my part to question the legality of a Bill like this in those circumstances. So, I do not wish to go into the legality of the question, but I would like to go into the equity or the honesty of the procedure adopted. Does it really satisfy the provisions of the Indian Ports Act? In the Statement of Objects and Reasons accompanying the Bill, it is stated:

'Section 36 (6) of the Act, however, provides for the passing of any local law regarding the disposal of the balance to the credit of the Ports Fund Account. The Government consider that it is unnecessary to keep more than five lakhs of rupees in the Minor Ports Fund and that the balance might be credited to the general revenues of the Province and utilized for any purpose which the Government may deem fit, just as customs revenue, excise revenue and land revenue are used for general purposes . . .'

"I ask, Sir, are you convinced in your own mind that the Fund collected as port dues stands in the same level as the customs revenue, or the excise revenue or the land revenue? In those cases you can straightforwardly ask for those revenues being utilized for general purposes. But, in the case of port dues, surely it is not a source of revenue or additional income to the general resources of the Government. It is collected for a particular object. The Hon. the Minister for Public Works referred to a list of purposes for which this Fund could be used, suggesting, so to say, that this Fund could be used for those purposes and for

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no other. In that connexion, I would only refer him to the section in the Act which contains the list of items referred to by the Hon. Minister. Those are some of the items which could be included under the head of expenditure and the Fund here could not be used for purposes other than those mentioned in the list. Again, Sir, that list is not exhaustive; there are other items of expenditure contemplated in the Act. It is hardly fair that when there is need for this surplus, you should say that it could be utilized only for those purposes that you consider necessary. It is not fair that you should divert this Fund for other purposes, unless you are honestly convinced that the requirements and the needs of every one of these ports have been completely satisfied. Until that stage is reached and until these conditions are satisfied, there is absolutely no good in utilizing the balance for other purposes. Are you satisfied that the minor ports in this Presidency are in an ideal condition?

"The greater portion of the paddy grown in the Tanjore district has to find a market, mostly in Ceylon and to a certain extent in the Malay States. At any rate, they have to find overseas markets. My district, though a small district in so far as the area is concerned, has yet got something like eighteen different centres from which paddy can be exported by sea. Under the conditions existing at present, even at a time when there is said to be a full year crop, many mirasidars in my district are wondering as to how they are going to pay the land revenue that is due to be collected from the next month. The price they get for their paddy is very low, and at present the price of paddy is about 45 per cent less than the standard rate; and coupled with this, there is lack of facilities for easy and cheaper transport. If the Government can do anything to reduce this plight, even to a small extent, that would go to benefit not only the mirasidars but those poor agriculturists and petty traders who go about villages collecting paddy and exporting rice to Ceylon and other select places. 5-45 p.m.

[At this stage Mrs. Rukmini Lakshmipathi occupied the Chair.]

"Therefore, from the point of view of the Tanjore mirasidars as well as others, I may urge on the Government that this Fund ought to be utilized for the purpose of the minor ports and for affording and improving the facilities for transport, so that they might use the minor ports in a greater degree. Hence my plea that this Fund should not be appropriated or misappropriated for any other purpose."

* M. AHMED BADSHA SAHIB BAHADUR:—"After so many on the Opposition side have spoken, I have been encouraged to stand up, particularly in view of a remark made by the Hon. the Prime Minister yesterday that very often in opposing the

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Government, reason fails. I hope at least in this connexion he would not bring forward the same accusation, because I think several members that have spoken before me have not only done so with conviction, but have adduced facts and figures in support of their contentions.

" Madam, in opposing this Bill, I will have to reiterate some of those points that have already been mentioned in this House, but from a slightly different aspect. I remember that during the various tours of the Hon. the Prime Minister in this Presidency, people have gone to him placing before him their many requirements and demands. But they have all been met with the only answer to the effect that the money at the disposal of the Government was the tax-payers' money, the agriculturists' money, and therefore they could not meet all the long list of demands that have been placed before them. The Government, it is said, have to deal with the money of the poor ryot, and so they could not throw away that money right and left. That is the trend of the answers received from the Hon. Ministers whenever the requirements of the various municipalities and educational institutions and commercial requirements are placed before them. Thereby a suggestion is made that the Government get their money by collecting it from the tax-payers and therefore, have got an obligation to spend it for a specific purpose. In other words, they stand in the position of a trustee of the various people contributing to the finances of the Government.

" I may say here that just as the agriculturists and the ordinary ryots contribute to the finances of the Government, there is a specific class of merchants who are exporting their commodities through these minor ports and hence they have been contributing towards the construction of this special Fund. That is the reason why I think there is something underlying the idea of a trust. If at all any case has been made out by the Government, it is this: that in the same manner as Acts have been formulated for governing the revenues of the Port of Madras or the Port of Tinnevelly, similar Acts should be created to govern the revenues of various other ports. Merely because such Acts have not been framed to govern the minor ports of the Presidency, it does not follow that such a Fund should be appropriated towards the general revenues of the Government. I maintain therefore that no case has been made out. On the contrary, the reverse has been made out, namely, that those Funds should be governed by a legislation. So I urge that it is high time that such a piece of legislation should be introduced on the same lines as those governing the major ports of this Presidency.

"Apart from this, I should like to place the importance of coastal traffic before the Government. From the standpoint of a merchant and an industrialist like myself, it is extremely important that these ports should not only be organized but must be

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improved from day to day, so that we might have alternative methods of transporting our goods and raw materials from one part of India to another. As a skins and hides merchant, I have been importing huge quantities, tons and tons of raw materials from the West Coast to Madras. In this connexion I have to incur huge expenditure by way of railway freight, which often made business impossible. We had to resort to coastal traffic, exporting our raw materials through the ports of Calicut, Mangalore and other places on the West Coast. It has been found impossible to do so all round the year."

* SRI N. S. VARADACHARIAR:—" Ask your shipping companies to reduce the freight."

M. AHMED BADSHA SAHIB BAHADUR:—" I am coming to your point. But please do not disturb me in the middle (Laughter). In exporting our goods we are faced with keen competition with other markets in the world. In importing, there is this difficulty. It has been found that it costs us less to import our raw materials through a shipping company than through the railways. I shall give you an example. To bring one bale of raw hides or skins from the West Coast, the railway freight is no less than Rs. 10; whereas if the same is brought by a shipping company, the latter charges only a rupee per bale as freight. Thus it will be seen that for every Rs. 10 we pay to the railway company, we would be saving Rs. 9 if we resort to a shipping company. But it has been my sad experience, although I tried this alternative method, that this method is not feasible under conditions prevailing at present. The arrangements at the various ports where landing is to take place are so imperfect that landing is almost impossible during the major portion of the year. In South India, the monsoon presents a very serious problem in regard to coastal traffic. During the south-west monsoon season, export in the West Coast is rendered utterly impossible, and so is the case with the East Coast during the north-east monsoon. Terrific gales during these periods make it impossible to take advantage of coastal traffic, and we are compelled to have recourse to the railways only, which, as I said before, cost us heavily to the detriment of our industry, trade and commerce.

" Well, Madam, if you have such an enormous sum of money as 50 or 60 lakhs of rupees, should it not be the concern of the Government to see that arrangements are made, so that export of raw materials could be made from one port on the coast to another port throughout the year, without any interruption which at present extends to a period of over six months in the year? In order to meet this requirement, if projects of improvement are undertaken, at least in a few of the minor ports, they would not only absorb all these 50 or 60 lakhs of rupees, but would require more to carry them into execution. Unfortunately this aspect of the question has not been looked into at all. It is very often

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said that everything is being done for the benefit of the agriculturist, and that vested interests are against it. But may I ask, is not the interest of the agriculturist a vested interest? Is not the interest of a trader a vested interest? Similarly commercial enterprises are also vested interests just as any other vested interests. I may also wish to bring this fact to the notice of this House. We, the merchant class, even though we do not pay directly to the Government of Madras, do contribute our quota to their revenues. We pay income-tax and super-tax to the Central Government, and out of this income, this Provincial Government gets its share. That being so, I see no reason why we, the merchant class, should be meted out a particular kind of treatment, as if we are the adopted children of the Government and not their natural children. After all, what is it that we are asking for? We do not ask you to give any protection to our industry. But we say that the money, the Fund which has been built up for being utilized for a specific purpose, should be used only for that purpose. I say that nothing could be more prejudicial to our interests than to consider that this enormous sum which has been built up for a special purpose and set apart for a specific purpose, should be appropriated for general purposes; there is absolutely no justification or right on the part of the Government to do this.

"Apart from these questions of providing adequate facilities for easy and convenient transhipment of raw materials, there is the question of high freight charges. One of the Parliamentary Secretaries has raised this question himself and suggested whether I should not ask the shipping companies to reduce their charges. I have already given you an instance wherein I showed how by getting our goods by coastal route instead of by rail we stand to gain Rs. 9 out of every Rs. 10. What more can we expect from the shipping companies. In fact I have had correspondence with very many shipping companies on the West Coast with regard to this reduction in freight, and here I may inform the House that most of the Indian companies in general, and the Scindia Steam Navigation Company in particular, have come forward with their competitive quotations though some of the English companies could not do so. But unfortunately, whatever concession we might get from these shipping companies is of no use in the face of the very inadequate arrangements made for export and import facilities on the coasts.

"Now I come to the Bill proper. It has been suggested that the Bill should be referred to a Select Committee. In the first place I see no necessity for doing so; for the Bill itself is so short that it need not at all be referred to a Select Committee. In the second place, I wish to ask, 'Where is the necessity for referring the Bill to a Select Committee, when the propriety of

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allowing the passage of this Bill in this House is being questioned?' The Port Trust Act, as it now stands, says that the money in the Minor Ports Fund can be expended only for the purpose of minor ports, and that any sum standing to the credit of that Fund can be spent only for the purpose of these minor ports. But, the Government say there is a provision in the Act, however, regarding the disposal of the balance standing to the credit of that Fund, by any local law that can be passed. May I ask whether by virtue of this proviso, the Local Government are at liberty to pass any local law towards the utilization of that Fund? When the Act definitely says that the amount should be spent only for the purpose of minor ports, any law the Local Government might pass diverting the balance of this Fund to meet other expenditure must be inconsistent with the principle of the Act. Anyhow I am not competent to discuss that question here as to whether it is *ultra vires* or *intra vires* of this Legislature to pass an enactment of this kind. There are better minds than mine which can throw fresh light on that point. As a man in the street, I would say that the manner of interpreting the 6 p
provisions of the Act should be such as not to be inconsistent with the main provisions of the Act itself. Such being the case, I say that the amount available from the Fund should not be taken away for purposes other than for the improvements of the minor ports. Subject to that general provision, the Local Government can make any enactment and spend that money for any purpose. But that does not mean taking it away from the purview of the requirement of the minor ports altogether, and utilizing the Fund for a purpose and in a way that would amount to a breach of trust with the monies that the Government have been entrusted with."

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—" Madam, I rise to add my protest to those already recorded on the floor of the House with reference to this unwanted measure. In the first place, I must thank the Hon. the Mover of the Bill for the very frank statement that he has made in introducing the measure, for he has thereby supplied ample material for criticism. He stated that every year there is a revenue receipt of 5·2 lakhs of rupees from the minor ports, while the expenditure amounts to 3·52 lakhs, leaving a balance of 1·68 lakhs for meeting the ordinary expenditure for maintaining the minor ports. That argument, Madam, cuts at the very root of the Bill that he proposes to pilot through the House. It needs no refutation on my part that a sum of 3·52 lakhs of rupees is enough to keep the minor ports in an efficient condition and these number 104 as one finds from the schedule attached to the Indian Ports Act. The Madras Presidency enjoys the natural gift of a longer sea-board as compared to other Provinces. I find from the schedule that in Bengal there are only half-a-dozen minor ports, and in Bombay there are about 50. In our Province, in the district of Tanjore alone, there

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are no less than 18 ports. We have a number of minor ports no doubt; but, unfortunately, they are all functioning under very serious disadvantages. I happen to possess, intimate first-hand knowledge with reference to one of the ports where I happened to serve for several years, the Masulipatam sea-port. I remember even now the storm of protests that were raised so early as 1914 by the merchant citizens insisting on improvements to be carried out to that port in order to make it efficient. But unfortunately their demands have not till now been met; their efforts have been a mere cry in the wilderness. But they have not relaxed their efforts; they waited on deputation on His Excellency the Governor a short while ago, and have pointed out the urgent needs of the port. Similar representations have, I understand, been made to the Hon. the Chief Minister; and when the Hon. Minister for Public Works, the Mover of the present Bill, visited that place recently, the citizens took hold of that opportunity and explained to him in great detail their demands with regard to the improvements to that port. That single instance is sufficient, in my opinion, to prove that the minor ports have not been receiving the attention that they desired and deserved.

" To enter into details, let me take the case of Masulipatam. The merchants of that place have been asking for a dredger all these years. They have been complaining that the bar often gets silted up and the sands make it almost impossible for the cargo boats to approach the bar with any amount of ease, with the result that the cargo boats have to be detained in front of the bar for hours, sometimes for days, exposed to considerable amount of pilferage and loss to the merchants and the shipping agents. They have been complaining about lack of adequate lighting. The lighthouse of that place is an antiquated one. There have been repeated complaints that steamers had been taken off their course on account of insufficient lighting. There has been a persistent complaint also that the two wharves get water-logged very often, particularly during the monsoon times, with the result that shipping is rendered difficult or impossible. They have been also complaining that there is no scheme of signalling and an efficient signalling system should be arranged for. The roads by which the steamers halt are six or seven miles away from the port and an efficient signalling system is very necessary All these demands have been made for several years past, and yet we find the Hon. the Minister in charge of Public Works stating that none of the demands made by minor ports had been rejected. It takes one's breath away when one hears such a broad statement.

" As regards the question of legislating on a matter of this kind, I would like to take you through some of the provisions of the Indian Ports Act, which show definitely what the principle underlying the constitution of the Minor Ports Fund is, and

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prove beyond all doubt that the revenue derived from the ports ought to be spent on the maintenance of the ports themselves. I would draw your particular attention to section 36, clause 2, which says that the officer in charge of a minor port should maintain for such port a distinct account—I lay particular emphasis on the words 'distinct account.' Sub-clause (*b*) of clause 5 makes it very clear that some of the important items of expenditure that should legitimately be met from the port dues, are the maintenance of buoys, beacons and lighthouses, chiefly for the benefit of vessels leaving or entering the port, or passing through rivers or channels leading thereto. Sub-clause (*d*) of the same section allows the levy of contribution from the port fund for the maintenance and support of public hospitals, dispensaries and the like, but with an express provision that these institutions are for the reception and relief of seamen. This makes it quite clear that the intention of the Legislature is that the Fund should be available for the payment of all expenses incurred for the sake of the port; that is repeated in section 37 (1).

"That being the case, any diversion of these funds for other purposes would clearly be detrimental to the principle underlying the provisions of the Indian Ports Act. The Government do not make any secret of it. We find that in the Statement of Objects and Reasons the Hon. the Minister with his usual frankness has stated the proposition in very distinct terms. He says that according to the Indian Ports Act as it now stands, the money in the Minor Ports Fund can be expended only for purposes connected with the ports. He follows it up later on by saying that section 36, sub-clause 6, provides for the passing of any local law regarding the disposal of the balances. He takes shelter under this sub-clause of section 36 to legislate for the disposal of the balance. The only answer to that contention will be that we can legislate for the expenditure of any portion of the balance in the Fund only on objects intimately connected with the ports. It is not at all open either to this Government or any other Government to divert the Funds intended solely for a particular object, to any other object not contemplated by the Act. It is my contention therefore that the proposed Bill is not in accordance with the law. It may be technically brought within the ambit of sub-clause 6 of section 36, but that, I submit, would be straining the law to an extent not permissible to the Legislature.

"Coming to the question of justification, I find that there is very little justification for the diversion now proposed in the Bill. It is stated that since there are 60 lakhs of rupees to the credit of the Fund, the Government would take 5 lakhs which will be enough to meet the ordinary requirements of the minor ports, and appropriate or misappropriate the balance, as some hon. Member put it, for other purposes. As I have already pointed, these five lakhs distributed among the 104 minor ports will yield 6-1 p.m.

somewhere about five thousand rupees to each port. The sum of five thousand rupees to each port in its present condition is absolutely insufficient. I do not think I need labour the point further, as previous speakers have dealt with it at length. I do not think it is necessary to advance more arguments to show that the five lakhs of rupees that will be apportioned among the several minor ports, will be absolutely inadequate even for their limited requirements.

[At this stage, Mr. Speaker resumed the Chair.]

" There is one little point, Mr. Speaker, which I would like to refer to on this occasion, and that is with reference to the remark made by the Hon. Minister. He said as a justification for diverting a very large slice of the Ports Fund to the general revenues, that this is nothing unusual, and that this is exactly on the lines of customs revenue and excise revenue which are credited to the general revenues, and that a portion of the Minor Ports Fund also could similarly be credited to the general revenues. But there is one vital point of difference which has been missed. And that is, excise revenue and customs revenue are Revenue Heads. They come under the ordinary budget of revenue and expenditure under Revenue Heads. The Minor Ports Fund does not come as a Revenue Head. It comes under what is known as Debt Head. The balance left unspent accrues from year to year, and whatever sum remains accumulated has to be devoted to expenditure on the ports. No part of the expenditure would come out of General Revenues. It is not possible from an account point of view to reappropriate any balance from a Debt Head to a Revenue Head. It is not right, therefore, to say that the Minor Ports Fund stands on the same level as customs or excise revenue.

" For these reasons, Sir, I would respectfully urge upon the Hon. Minister not to press this Bill, as it meets with nothing but opposition from all sides."

* THE HON. SRI C. RAJAGOPALACHARIAR :—" Sir, the discussions have proceeded mostly on the single basis of the iniquity of the whole transaction. Whatever different colours have been given to the point, this is the single point. It has been put forward that this is a trust, that this is a fund, and that the Government, in bringing forward this Bill to convert it into a general revenue, are committing what amounts to misuse of the fund. It might be called theft by one, robbery by another, breach of trust by a third, and misappropriation by a fourth. But all this is on the understanding that we are using somebody else's money, and therefore whatever may be our object, it is wrong. This is the argument.

" I submit at the very outset that this is a wholly irrational conception of the position. Because we have got used to certain processes of governmental taxation and governmental expenditure, it does not follow that any departure from it is wrong. But

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the general tendency is to consider it so. For the tendency is always to consider any departure from the usual run of things as wrong. If we collect stamp duty on documents, and if anybody claimed that the money should be utilized only for the improvement of stamp paper, only for the payment of stamp-vendors and only, at the most, for distribution among document writers, everybody would laugh. Because it was started in that way, it is not necessary to make any alteration in that matter. If anybody had tried to argue that the tree-tax on palm trees, or distillery duties should be utilized for the improvement of the palm species, or coconut gardens, or breweries and for nothing else, people will laugh. Because we have got used to tax men who drink and to collect revenue, and use it for the education of the sons of other people and for various other good purposes, nobody considers it wrong, if that is done. But everybody would laugh if I made a similar proposal, or for that matter, if anybody else made that proposal. I know that I can multiply these instances. In fact, if I copy the example of the members of the Opposition who spoke of multiplying cases of misappropriation, criminal breach of trust and so on, and if I copy the example of Mr. Nuttall, I can point out more absurd things, or at least as much as on the lines he pursued. The first thing that comes to my mind is this: I can point out that we may take the University Fund which lies idle for the time being. I can multiply examples even further. If land revenue was claimed only for the improvement of agriculture and the general benefit of particular cultivators, it would not be so absurd, because they are so large in number, because the people who will be benefited by such a proposal are so large in number, that even earmarking would be justified, and not at all appear ridiculous. But when we come to the duties collected from the ships importing commodities, an instinctive feeling arises that it is a trust, that it is an earmarked fund, and that it is robbery, and what not, if it is used for anything else. I submit, Sir, the whole thing is wrong. If up till now, we have not been using this money for general purposes there is no prescription arising out of this non-user of the money. There is no trust that can be said to have been built up; there was no trust built up, but only an unspent balance; not built up, but, I say, wasted; because any balance unused is wasted so far as this Government are concerned. There are also concrete forms of waste, to which it is not necessary for me to refer just now, except to derive the principle out of it. So long as this Fund, so long as these surpluses—I am wrong in calling it a Fund—so long as these surpluses were allowed to accumulate, and utilized for the payment of the salaries of the officials concerned, who was interested in using this money from the ports? And so it was not used. Nobody was interested in making a proper use of the surpluses. It was simply lying idle like those institutions with large funds in England, which by an ancient statute were

all abolished as they became mere mortmain; they became dead institutions; and no Government interested themselves in developing them. Similarly here, the Minor Ports Fund remained undeveloped, yielding interest all the same. I shall explain why, in a moment. In the major ports, the customs duties belong to a different Government, that is, the Central Government; and that Government was not interested in developing the minor ports at all. The railways too were not interested in developing the minor ports, as it would only divert their traffic to the minor ports. And I entirely agree with the accusation of lapse of duties brought forward by Mr. Ahmed Badsha; but I see he is not here. The railways were kept up to take high freight charges for the passage of goods from place to place; the minor ports were neglected and the major ports yielded income to a different Government altogether; the railways fed the major ports, and so the income of the major ports was not affected by the existence of the minor ports; and all this tended to divert trade from the various parts of the country to the major ports. Thus nobody became interested in minor ports, and this surplus became a no-man's Fund."

Sri G. Krishna Rao:—"May I know, then, why this Fund is called the Minor Ports Trust Fund?"

* The Hon. Sri C. Rajagopalachariar:—"We are not going to proceed upon the mere language used by somebody else. Even if the word 'trust' and the word 'fund' are used, we can only infer why it is called so; we have nothing to show why it is called so; and any way it does not bind me. I say this revenue is derived from the Province, and so we are entitled to it. I shall explain further the terminology: it only so happens that the word 'trust' is there.

"But I was on the point of the interest and the motives behind this process of idly accumulating funds. I should not be construed as merely laying a charge upon our predecessors in office or other Governments; I have a better object in view. I am coming to what we are doing now. Hon. Members were speaking as if our claiming this Fund will put an end to the progress of the minor ports. On the contrary, I claim, and the House will join with me entirely, that in improving this Fund, I will say, in using this Fund as part of the duties and functions of this Government, there will be hereafter somebody interested in the development of the Minor Ports Trust Fund; there will be somebody interested in the development of these minor ports themselves. It will not become an orphan child; but it would have been adopted by this Government with full effect. If we feel—if all of us feel—that this money is ours, it will be to our interest to make this Fund grow; it will be to our interest to make the minor ports grow. And we shall no longer have to depend for our revenues solely upon

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the starved agriculturists, nor shall we have to depend upon the back-door method of getting revenue by the levy of duty on the consumption of liquor; but we shall depend upon trade and commerce also. Even if the major ports do not yield us anything, at least the minor ports will yield something. And not only that, the railway freight charges will be saved by the people and there will be a more equitable distribution of the cost of production and the cost of the articles distributed in the country. So that we will all be interested—the Opposition, the European group, everybody as well as the Government—in increasing the facilities in the minor ports, in making the minor ports more popular, on the one hand, in spending the money wisely and properly, and also making some money out of it as revenues for the Government, on the other. If, on the other hand, we make these revenues of the ports merely a monastic coffer, something to be used only for those people, it will not be used at all and it will not be spent. 6-30 p.m.

"I will give you a history of this enthusiasm for the minor ports. We did not hear about it at all till we published this Bill. This Fund has been lying idle, naturally the surplus becoming 52 lakhs; it was lying there, and nobody was interested in it except the salaried officers. Look at the landing and shipping charges. We spend this for fresh equipment of ports. But this other Fund was left entirely to itself to grow and grow for payments of salaries, pensions, coffee hotels, if you like, and nothing else. Hon. Members said that we thought of this drain of the Ports Fund when we found in the approximate revised estimates a decrease in the expectation of incomes and an increase in the expectation of expenditure for the current year, and there was a catastrophe in front of us; and that we want now to stave off the disaster by bringing in the Minor Ports Fund Bill. I submit there is a slight mistake of fact in that presumption. It is a good picture, and an interesting thing may even be taken to be true. But it was a little bit earlier than that. As soon as we took office we looked at this Fund, we looked into the law with regard to this Fund and from that time this has been brewing, and we have been considering it not only after looking into the figures of the current year. And not very much before; we took office only last year and that is not very long ago. This much for the motive. I do not think it is wrong, for not so acting would have been a failure of duty; I do not think, it is anything to be ashamed of if a Government who are faced suddenly with falling revenues and increased expenditure, as against expectations at the time of the budget, look about and try to put off the evil day. I think it was the duty of the Government; and if we do not do it, even members of the Opposition will find fault and have a reason to find fault with us. Members opposite spoke in this strain, as if it was a very good thing that we should be faced with a

catastrophe but it was a very wrong thing to try to take the money when it was available. But that is not very important.

"What I lay emphasis on is that it is essentially right and proper to treat this money as our money, and that it is essentially wrong to treat it as a mere trust, when nobody will have any interest in the improvement of the port itself, unless it comes from the money dealing with all the people. And that is why we claim that this revenue should be spent and added to the general revenues taking both the profit and the loss of it. Supposing, Sir, there has been no surplus at all, nothing there but a trifling amount of a lakh of rupees surplus coming every year; even then I say it should be taken into the general revenues, and what is left should be spent for the general expenditure. Whether it is more or less, is only a matter of accident, depending on the amount of trade development. I have no doubt that if hon. Members pass this Bill, the time will come when these port dues that we are getting will increase, because the ports will become more important and all will benefit by it—the officials who serve there, the ship owners, the merchants who do business there, as well as the people of the Province.

"It was stated that many schemes were there. But as I have already submitted, as all these schemes were hatched in a hurry after the notification of this intention of the Government; they were a little bit raw schemes, but not bad schemes. We could not put forward schemes for the improvement of the ports within a few months, and in spite of the assistance some merchants have given to the port officers, and in spite of the hurry, these schemes do need much more examination than they have received so far, and we promise that they will be looked into and will not be neglected.

"But I would like to ask, what is the reason? Let hon. Members reflect what the reason is for such accumulation. What is the cause of this chronic disease that must be got off? I do say we have laid our finger on it because of its non-use, because we treated it as money belonging to the Government. It was wrong to say that ports did not belong to the Government, though it might have helonged to the Government according to the Act. Everybody thought that it was not the concern of the people of this Province or the Government of this Province, and so it has accumulated. We have now placed our finger on the disease. Though it may appear too much of a good luck for the present, I wish to submit to hon. Members through you that it is a right principle and that it has more expenditure. When the surplus is there, we claim not only the surplus but we claim the responsibility of spending the money, the responsibility of improving the ports and the dues we collect. We took both the duty and the right concerning it, and therefore we are entitled to it.

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"That is the principle of the Bill and not the accumulated surplus. It looked as if we looked at the surplus. But we all cannot accept that. I submit therefore that the whole case has been looked at from an entirely wrong angle of vision and this angle of vision led to a misunderstanding of the motives of the Government. The question of the phrases used does not matter. But the question is this: 'Is it financial rectitude?' This is what Mr. Nuttall asked, and he was good enough to refer to my promise with reference to financial rectitude. It is perfectly good financial rectitude. On the contrary, it is absolutely bad financial rectitude to have remained unconcerned all these years. No Government, no concern, no company even, would be considered to have administered properly if these surpluses were allowed year after year to remain unused. I do not know what exactly the opposite of the term rectitude is, but it is financial crime to have permitted this amount to lie unspent and unused; it was a misuse of the money collected. There is a parable in the Bible of the talent remaining and the talent unused: it is no less and no more than that crime. The money that is collected, if I am rightly informed, was once 4 annas a ton, and now somewhere between 2 and 3 annas a ton on the total quantity."

MR. W. K. M. LANGLEY:—"On a point of information, Sir, I think the Premier is mistaken in his remark that 2 annas 6 pies a ton is very small. I may state that it is on the net registered tonnage of the steamer and not on the goods embarked. The steamer may come to a small port for the benefit of the people of the port, and only collect 30 or 40 tons, or discharge 30 or 40 tons of cargo."

* THE HON. SRI C. RAJAGOPALACHARIAR:—"Thanks for the information, Sir. For the trouble of taking over large ships, I think it is worth taking that money. However, I do not believe that these large ships move about empty. At the same time let me explain the reason why I referred to it. It was not to argue that the rates should be lower or higher. When the question comes we shall certainly consider the pros and cons. But for the present I was only going to derive a principle from the nature of the case. It was this. This is service rendered by this Government for which payment is made by the ships that call. The rest of the work done there is paid for in certain other shapes or forms. This service is paid for. Now it is wrong to imagine that I have paid the money to a man, and the surplus remaining still remains a trust for my benefit. If people have paid for services rendered, and at rates to which they agree and consent, they have no right, when such surplus is possible, to say that they see money remaining in the hands of the man to whom it had been paid many years ago, and that it was their money remaining for their benefit, as the man had not spent it. It is not a trust in favour of the shippers. It is money which has been paid 6-45 p.m.

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by the shippers to this Government, and they must be content to see it used by this Government, if it remains over for the time being. If ultimately the minor ports are improved, if this Fund is given to us now, as we want it to be given, and if any member of this House then feels that there is something that we can do for a few lakhs every year to these minor ports, we will do so. Why should every ship come to Madras or go to Calcutta? Everybody will co-operate then in these affairs and then you will get more and more co-operative management. That is all that is meant here. If a service that has to be rendered to a ship that comes in has got to be arranged for by the ship's own agent here, it will cost much more. It cannot be got done by the payment of a few annas per ton for such agency. But if the ships pay a few annas per ton to a properly organized institution like the Government, they can get this service cheaply done. It is just like paying 3 pice for a post-card and getting it carried long distances. By doing this service cheaply, there may be a surplus left over by the sale of post-cards. Similarly, for a small charge the shippers are able to get their business done through the Government for all the ships together, and a little surplus remains every year.

"Let nobody imagine that a large surplus has been left over each year. If there is a large sum accumulated, it is because it was not used for years and years. Annually, only a little bit of surplus remained over. And it is good management not to budget for deficits, but budget for small surpluses. Therefore it is that these surpluses are there. But, since it was badly managed, since a crime was committed in respect of these surpluses by not using them for anything whatsoever except for the payment of salaries and pensions, they accumulated. They accumulated because it was impossible to pay far too high salaries. They had to stop somewhere. Even about the beginning of 1937, before we took up office, the Government of India took power beforehand to increase the salaries, and increased them post-haste, or with the Government-of-India-Act haste. There were certain increases granted towards the end of March 1937. Yet they could not absorb everything. They should have done it long, long ago; they should have started that process long before; and if they had done so, there would have been no surplus and no charges as 'robbery,' 'dacoity,' etc. But unfortunately they could not go beyond a certain limit and there was this accumulation year after year. I submit, it is no crime, even when it is too late, for the Government to take up this thing which does belong to them. It is restoration of property and not robbery. (Applause.)

"Then, Sir, it was pointed out by Mr. Bower—no point of order was raised and no question of *ultra vires* or *intra vires* was raised—that the Central Government might take steps at once to nullify our measure here by doing away with the section under

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which we are now proposing to legislate. It is open to anyone to circumvent anyone else, I do not deny that; but I do not expect such a thing at all. I do not expect the Central Government to take such steps. What would follow? The Central Government would then have to look after all these minor ports and they would have to look after these units which would compete with one another: the Central Government would have then to look after the competition between the railways and the minor ports. I do not think they will undertake such a thing. There is a reason behind transferring these minor ports to the charge of the Provincial Governments. I therefore do not fear such a thing at all.

" Talking of railways and applying the principle of ear-marking the trusts (ports) to governmental management, I want hon. Members just to remember that we are getting a little bit of contribution every year. If the railways make a profit to the Central Government, surely it is dacoity again! If the railways save something instead of improving the rolling-stock, instead of improving the permanent way, in spite of increasing the salaries of railway officials, what right have they (the Government of India) to take this money away out of the railway surplus? It is the same right that we claim over the Minor Ports Fund. That is what we contemplate to cover by this Bill. I submit, Sir, there will be no financial impropriety in the proposal."

MR. SPEAKER:—" Will the Hon. the Premier just make one more point clear? Section 36, clause 6 of the Indian Ports Act, lays down that subject to the provisions of any local law as to the disposal of any funds from time to time standing to the credit of the Port Fund Account, any such balance will be temporarily invested in such manner as the Government of India direct. The present measure seeks to have legislation against accumulation beyond a certain figure. Is it covered by the language of the Indian Ports Act about 'the disposal of any balance,' or is it contrary to the spirit and the wording of the Indian Ports Act? This is only legislation against accumulation, but not legislation as to the disposal of any balance from time to time standing to the credit of the Port Fund Account."

* THE HON. SRI C. RAJAGOPALACHARIAR:—" The object of the Bill is to dispose of the balance, but it restricts such disposal by the amount mentioned. The disposal of the balance is what is sought to be covered by the present measure; but instead of disposing of the whole of the balance, we say, up to such and such a point, we do not make disposal. We put a restriction on the disposal that we propose to make under sub-clause (6). The sum of 5 lakhs that is referred to is the limit put upon the disposal proposed by the present measure."

MR. SPEAKER :—" So, it is the contention of the Government that the word ' disposal ' is so comprehensive that it includes legislation for the expenditure of the surplus or its addition to *Provincial revenues?* "

* THE HON. SRI C. RAJAGOPALACHARIAR :—" Yes."

MR. SPEAKER :—" Then there is another point. Under section 36 (4) all the money shall be credited to the Port Fund Account of the port."

* THE HON. SRI C. RAJAGOPALACHARIAR :—" Yes."

MR. SPEAKER :—" That is the rule. But here you say that *the balances shall be credited to the revenues of the Province.*"

* THE HON. SRI C. RAJAGOPALACHARIAR :—" Yes."

MR. SPEAKER :—" How are they to be reconciled? "

* THE HON. SRI C. RAJAGOPALACHARIAR :—" They shall be credited to the Port Fund Account of the port, and it is only then that a surplus can be understood. The ordinary method of revenue and expenditure would be adopted. If these words are not there, every receipt would go into the general exchequer, and every expenditure would go out of the general exchequer again; whereas, the provision here is for a separate surplus to be calculated and for the disposal of such a surplus. In order to calculate such a surplus it has to be kept in a Port Fund Account. That is the first step. Then we recover the surplus, whatever that is. The right to dispose of that surplus is given to the Government and we claim to dispose of that just now."

MR. SPEAKER :—" But the present Bill seeks to make the balance go *automatically to the credit of the revenues of the* Province. It is said that the balances shall from time to time *be credited to the revenues. It is an automatic transfer of the* balances to the revenues of the Province. They are not necessarily *going into the Port Fund Account of the port.*"

* THE HON. SRI C. RAJAGOPALACHARIAR :—" That is just what I am pointing out. What I desire to point out in answer to your question, Sir, is that there are two stages in it. First, all funds received shall be credited in the Port Fund Account of the port, and then the provisions for expenditure follow. The first stage is that the income shall not be put into the general revenues, but into a special Fund of this kind. Then the expenditure is provided, and the balance is arrived at only after these processes are gone through. The surplus can be arrived at only if the income is separately kept. The present measure that we propose does not say that every rupee shall go directly into the general revenues of the Province. We only say that the surplus shall go into the general revenues."

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Mr. SPEAKER :—" When you say that the balances shall not accumulate, there does not seem to be much scope for any surplus at all. This is legislation for a simultaneous transfer of the balances to the credit of the revenues of the Province."

* The Hon. Sri C. RAJAGOPALACHARIAR :—" There is a slight confusion between the two items which I wish to be kept separate. The first process is receipts coming into the Fund, and expenditure going out of the Fund. Then the surplus is arrived at. Let us not use the word ' balance'; let us use the word ' surplus.' Now, the first part of the provision lays down that all receipts shall go to the Port Fund. The present measure does not oppose that at all; the present measure does not propose that the receipts shall go into the general revenues. Sub-clause (4) which says that all funds received shall be credited to the Port Fund remains intact. We do not alter that. The receipts go into the Ports Fund Account and the expenditure goes out of that account. We are only providing for the disposal of the surplus. We are entitled to dispose of the surplus. What is the measure that we propose? We propose that the surplus shall be disposed of, but not when it falls below such and such an amount. The surplus shall remain in the Port Fund Account if it is within a particular figure mentioned; but if it exceeds that amount, the Provincial Government shall have power to use the surplus."

Mr. SPEAKER :—" May be, the Provincial Government have got the right. The minor ports exist in the Provincial List alone and not in the Federal List. But supposing there is a conflict between crediting the balance to the revenues of the Province and crediting it to the Ports Fund Account of the ports, would it not be better that the Select Committee considers the question whether the abrogation of section 36 (4) is necessary? It may involve difficult problems hereafter for legislation, because section 36 (6) contemplates only disposal of the surplus. This is legislation with regard to the non-accumulation and transference of the Fund to the revenues of the Province."

* The Hon. Sri C. RAJAGOPALACHARIAR :—" Any larger alteration is within the power of the Provincial Government, but it is not necessary at this stage. That is the view with which we drafted this Bill. A larger change was unnecessary, though it is within our power to make it."

BASHEER AHMED SAYEED SAHIB Bahadur :—" Mr. Speaker, the principle of the proposed disposal of the balance now remaining accumulated has been explained by the Hon. the Premier. Probably, Sir, if that had been stated in the Statement of Objects and Reasons published along with the Bill, much criticism might have been obviated. All the same, Sir, there is 7 p.m.

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still room for criticising the action of the Government in proposing to transfer this large surplus which constitutes the Minor Ports Fund. Perhaps if the Government had stated in clear terms as to the directions in which they want to divert this surplus, much of the opposition would have been disarmed.

"I fail to see the force of the argument that has been urged on the other side, that there is absolutely no need or justification for transferring this Fund which has been lying idle and accumulated for a long time. The amount of 55 lakhs of rupees would have been, and ought to have been utilized, provided there was sufficient public opinion in favour of the improvement of the minor ports. Sir, it was pointed out by the hon. Member representing European commerce that a sum of Rs. 25 lakhs was required very urgently to attend to the improvement of some of these minor ports. The Hon. the Premier has stated that during the last two or three months they had to rush through certain schemes in great haste and they had to be given effect to immediately, and that was the reason the Government were not able to attend to the urgent requirements of the minor ports. But I submit that that is not the entire cause. There have been cases in the past which have been rejected by the Government either for want of finance or for other valid reasons, viz., that there was no need for those schemes, or that they were not remunerative."

THE HON. SRI C. RAJAGOPALACHARIAR :—" May I know when that was done? "

BASHEER AHMED SAYEED SAHIB BAHADUR :—" Sir, do not all those schemes which were before the Government and which have been hurried through during the last two or three months consist of some of the minor ports schemes which were recommended either by the District Collector or the District Committees or the Port Officers from time to time? I think some of them would not have been given effect to because of the very heavy expenditure involved. There are schemes which would cost more than 55 lakhs of rupees, if we are to give effect to such schemes. It might be that the Government might not have been able to give even half of this large amount of 55 lakhs, which is required for giving effect to large schemes, for attending to some of the minor schemes; it might be at the same time that certain schemes might have been turned down for financial reasons. The Government would have made investigations in connexion with all the schemes before them, and they may be in a better position to say how many schemes were turned down for financial reasons. If they have turned down certain schemes for financial reasons, it is not unfair. But I do not think that this Government would have turned down any schemes that came before them so far. It might be that the previous Government had done that. But, Sir, the fact remains that it was up to the

Government to say what exactly the definite objects and the definite purpose for which this Fund was going to be taken over, instead of saying that they are going to plan a scheme for the utilization of this large surplus. They merely say that they are going to credit it to the general revenues. That is the reason, I think, why there has been so much opposition."

MR. SPEAKER:—" Is it the contention of the hon. Member that this Government cannot legislate for the transfer of this Fund to the general revenues but only for the utilization or the disposal of that Fund for certain schemes? "

BASHEER AHMED SAYEED SAHIB BAHADUR:—" That is not my contention. On the other hand, I contend that in so far as the Provincial ports are concerned, the duty entirely rests with the Provincial Government not only for the administration of those ports but also for the administration of the funds belonging to those ports. Sir, if you will please turn to section 36 of the Indian Ports Act, you will find that the control of this Ports Fund, control of the income as well as the expenditure, rests with the Provincial Government and that the Government are entitled to dispose of that Fund in the ways which they think expedient in the interests of the administration as a whole. There are ways and means by which public criticism could have been obviated by the Government coming forward with definite proposals. They need not necessarily be for the improvement of these minor ports; they need not necessarily be for the construction of jetties or wharfs; they need not necessarily be for the importation of steam or electric cranes. It might be, I suggest, that the entire sum might have been transferred for promoting the ship-building industry in this Province. There is a large need for the ship-building industry in this country, and 55 lakhs of rupees would be a very good starting capital for that industry. There is a clamour for a technological institute, and the Government might have stated, 'We have got a definite scheme before us for starting a technological institute in collaboration with the University authorities, and we are going to utilize this amount for the improvement of technological studies in this Province.' If the Government had come forward with a definite proposal such as the one mentioned above, it would have been welcomed and it would have been useful for the Government also.

" That is why I say that the suspicion that has been exhibited on the side of the Opposition has been very largely due to the absence of the Government having put forth definite schemes for the utilization of this Fund, which they propose to transfer to the general revenues. Of course they have the right to transfer it to the general revenues by all means. I once suggested that

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all the income from religious endowments must go to the general revenues, and that Government must take upon themselves the responsibility of administration and control of all the religious endowments, whether they belong to Hindus, Muhammadans or Christians. I want that the Government must come forward to take over the management of all these endowments, and that the State should be the trustee of these endowments. I see that in Muslim and even in other countries the management of the religious endowments forms part and parcel of the duty of the State. In this country also I want that the State and its officials must take upon themselves the responsibility for managing these endowments, and thus make them a department of the Government as such. (Hear, hear.)

"It would have been very well if the Hon. Ministers had not merely made a proposal for the transfer of this Fund to the general revenues. For we do not know yet what the Government are going to do with this Fund; the Government have not come forward with any scheme; we do not know for what purpose this surplus is required. For my part I would contend that in the interests of agriculture it is necessary that this surplus should be made available with the Government for purposes of improving the agriculture of this Province. These minor ports are in a rotten condition. The other day I took the Hon. Minister to two ports in my constituency; the roads which lead to those ports are awful even for ordinary traffic, much less are they fit for carrying goods with ease. Such roads require immediate attention and a large amount of funds should be made available for the repair of such roads. It may be that we want more railways going to these ports; it may be that we want in the interests of agriculturists to reduce the distance by laying shorter roads to such ports rather than going through a long distance. In such cases money should be made available for carrying out such objects. As an instance in point, I may say that all goods that were going to ports like Porto Novo and Cuddalore, nowadays are diverted to Pondicherry *via* Villupuram, because the distance from Villupuram to Pondicherry is very short. Similarly all the groundnuts from Vriddhachalam that were going to Porto Novo previously now go to Cuddalore, because the railway freight between Vriddhachalam and Porto Novo and between Vriddhachalam and Cuddalore is the same. It may be that when ports are improved the railways may reduce or enhance their rates as it suits them. However, I hope that the Government will give as much facilities for transport, for imports and exports as possible by roads or railways.

"However, when the Hon. the Premier said that the Government contemplated restricting the disposal of the balance to a certain

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figure, it took the wind off my sails. I want to warn the Government to realise that the transfer of this sum of 55 lakhs of rupees involves a definite principle. It is not a mere question of taking over the sum of 55 lakhs of rupees and spending a portion of it. As the hon. Member for European Commerce put it, to-morrow the port of Calicut may require a crore of rupees for giving effect to a scheme for protecting the harbour from severe monsoon. So instead of feeling that the Government have done a wrong thing in transferring this 55 lakhs of rupees to their general revenues, we should be glad to find that the Government will be forced by this measure to put the entire resources of the State upon such schemes as referred to above. They cannot keep the surplus idle. If the Cocanada or the Masulipatam port is struck by a cyclone to-morrow, will not public opinion assert itself and say, 'You have taken away our 25 lakhs of rupees; we do want that the surplus amount which was taken away from us should be spent for the improvement of our port'? So I consider that the Government are under a serious obligation in having just put their hands at this amount of 55 lakhs of rupees. If they spend it, it is a heavy responsibility. I am glad that they are doing so. But at the same time I would point out that it is a part of the duty of the State that it should also spend from their coffers for the improvement of the ports. It is a right responsibility that they have taken and I appreciate that principle. I support it.

"Sir, the fact remains that these funds have been lying idle. They have never been used. If there was sufficient public opinion, certainly this money would have been spent. There are roads which require improvements here and there, and there are very large schemes awaiting the attention of the Government. But it is the duty of the Government with reference to the schemes that they put forward, to find out whether they are proper, legitimate, necessary and remunerative, or merely come in for bad investment. It is in that light that the Government were not able to spend more money for these ports. If the Government had been convinced by the Port Committees that the schemes were really legitimate and necessary, then this popular Government would have responded to the needs of the situation. If that was not the case, the mere idle lying of the money would not solve the problem. Certain schemes, after having been considered, were considered good investments, and on that ground, now it is proposed that this idle money should be transferred. The mere transfer of the fund would not amount to the closing down of the ports as the hon. Member representing European Commerce would seem to contend. The mere transfer of funds, unless certain contingencies, when they arise, are not met, would not amount to the closing down of the ports. The Government have not said that they are not going to use this money for these various ports. Where have they stated so? If the commercial and trade interests had asserted in

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a proper and legitimate manner that the balance of 5 lakhs of rupees made available is not sufficient, then there is some force in that argument. It might be that the receipt and the expenditure may not always balance each other and the amount of 5 lakhs of rupees provided for emergent requirements may not be adequate. But I would point out that it may be possible for the Select Committee and other Members of this House who think in that manner, to demand and say, 'Of the 55 lakhs of rupees, 25 or 35 lakhs should be provided for contingencies, so that there may be a larger sum readily available for meeting such contingencies.'

7-15 p.m. "Sir, the question has been raised in the memoranda and also in the speeches you heard, that the transfer of this fund is a questionable financial practice. I submit, Sir, that this is not right. The proper thing is, as I have said, to convert this fund as a fund available for the purpose of general revenues. It has been contended that the transfer of these dues or these balances will work hardship on merchants and traders. I have not been able to find out the logic of that argument, as to how exactly it will create hardship.

"Certainly, Sir, port dues deserve to be reduced; but the mere fact of the reduction of port dues in any place has not been the cause of bringing in more trade to the ports. The reduction of these dues has not brought in more trade, more commerce and more imports to the Madras Harbour. It will be only to the advantage of some of the merchants and some commercial interests to get the charges reduced. Merely because port dues stand at a certain level, it does not always follow that trade suffers. If you reduce charges to-day, there is no guarantee, considering the present depression of trade, that there will be a sudden increase in trade; it is doubtful. But it is certainly necessary that the Government should consider what are fair dues, what are fair charges. If the charges levied to-day are not fair, if they are not legitimate, and if they are not reasonable, it is open to the interests concerned to agitate and get them reduced; but simply because there is a balance available, it does not stand to reason that you should ask that the port dues should be reduced. But of course, in the interests of all concerned, you might find out how the dues of these ports compare with dues elsewhere, and whether these dues are fair and reasonable or not. That is the proper point of view from which it should be looked at; simply because you have a surplus, it is not right to say 'please distribute it.' That is wrong policy.

"Sir, of course, major ports do not contribute to the Provincial revenues; but is that a reason to be adduced for not getting any income from the minor ports and for not utilizing the income from the minor ports? Major ports have been taken away from

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the purview of the Local Government; major ports are not within our contol. If major ports were under the Local Government, certainly there would have been a larger income from the ports than what we are getting from minor ports. That is really an argument for urging the Central Government to hand over the major ports to the Provincial Government, in so far as they are within the Province; that will be a legitimate agitation. Because the major ports do not contribute, it is not right to say that we should not take a portion of the income from the minor ports; nor does it follow that because we do not collect any money from the major ports, we should not collect anything from the minor ports also. Trade has fallen so much now, that, even if you make improvements to the ports and invest lakhs of money, you are not going to get any income from the ports. It would be a bad investment. Insurance charges are heavy, but that matter is not in the control of this Government; railway freights are higher but that matter also is not within the purview of this Government. These are matters which the affected interests and trades must certainly get remedied and obtain relief.

"Sir, there is a great point in the South Indian and the Madras Chambers of Commerce asking the Government to institute a definite survey with regard to the needs and conditions of the ports. The Government could well have undertaken these schemes . . ."

Mr. SPEAKER:—"Details with regard to the survey, etc., should not be referred to at this stage. The Government have referred to the manner in which these funds should be disposed of; I wish that the hon. Member should not take more of the time of the House. The hon. Member can deal with the principles of the Bill and some details which explain the principle. But he should not refer to numerous details."

BASHEER AHMED SAYEED SAHIB Bahadur:—"I am not going to refer to the details. It is still open to the Government, even if the Bill becomes law, to appoint an expert committee to go round and make a survey . . ."

Mr. SPEAKER:—"It is for the Government to do that, later."

BASHEER AHMED SAYEED SAHIB Bahadur:—"It should be done in advance; there is yet time. It is open to the Government to do so, at least later on, so that they can allay the suspicious feelings that have been aroused by this Bill. Sir, there have been complaints with regard to the non-use of funds for legitimate purposes. From the original Act you will see what exactly are the items of expenditure for which this fund can be utilized. No case has been made out to my knowledge so far, that the Government have failed to provide necessary facilities . . ."

MR. SPEAKER :—" The hon. Member may just remember the provisions of rule 75. On the motion for reference of the Bill to the Select Committee, the principle of the Bill and its general provisions may be discussed, but the details of the Bill must not be discussed further than is necessary to explain its principle. Actually the hon. Member has already travelled far beyond the scope of rule 75, and he cannot take up the time of the House by referring to details. He has taken already more than half an hour."

BASHEER AHMED SAYEED SAHIB BAHADUR :—" The principle to which I want to refer is the transfer of the balance to the general revenues; the Government can very easily meet the objection that is often raised."

MR. SPEAKER :—" These are details of the Bill on which the hon. Member is speaking; he is making suggestions; he should not enlarge the details of the Bill; he may finish his speech, if he has nothing more to enlighten the House on the principles of the Bill."

BASHEER AHMED SAYEED SAHIB BAHADUR :—" I am really sorry that, when I speak, some standing orders get clarified.

" I have only to suggest that the Government—not this Government but its predecessor—have neglected certain needs of the ports. I take this occasion to invite the attention of the Government to some of the pressing needs and to certain directions in which the Government can transfer this fund. From the transfer of the fund which the Government propose to make, it directly follows that they also propose to carry out certain improvements to certain ports, which have been suggested by individuals and associations . . ."

MR. SPEAKER :—" Is the hon. Member going to treat this House with these details? "

BASHEER AHMED SAYEED SAHIB BAHADUR :—" It will be the direct result of the principle of the Bill, the transfer of the surplus to general revenues. The Government will have to meet items of expenditure which are necessary and legitimate; the amount that is transferred from this fund, will be available to the Government to attend to the minimum needs of some of these ports, which have been brought to the notice of the Government by this time. I therefore suggest that this House should not oppose the transfer of this fund to the general revenues; on the other hand it shall be on the look out to make the Government entirely and mostly responsible for carrying out all the improvements and needs of the minor ports as and when the need arises."

* MAHBOOB ALI BAIG SAHIB BAHADUR :—" Mr. Speaker, I contend that this piece of legislation travels far beyond the scope, the restricted scope within which the Local Government was given the right to legislate for a specific purpose, namely,

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the disposal of the Fund. I might also contend that the proposal must be in conformity with the general spirit of the Government of India Act; ways and means as to how the balance should be spent, may be legislated upon by the Local Government. But the items of expenditure on which the money is spent, must be in the interests of the ports themselves; that is my contention. It is clearly stated in the Indian Ports Act, 1908, as it now stands, that the money of the minor ports can be spent only on the purposes of minor ports. I do not know if, by any stretch of imagination, the fund can be used for purposes other than the benefits of the minor ports themselves. What is sought by this legislation is not merely the disposal of the balance now; it contemplates the transfer of the amount that may accrue to this fund in future also; the fund is proposed to be transferred to general revenues. So, it is wrong in law in the first place to legislate not for the amount which has accrued to the fund up till now or up to a certain time, but in future also. It seeks to transfer the amount of the fund above Rs. 5 lakhs to the general revenues of the Province.

"That, Sir, I submit, is not permissible under the Government 7-
of India Act. That is certain. And whether the utilization of P.1
this fund can be for purposes other than the ports, it is not possible for us to say, because the purpose for which this balance is going to be spent has not been specified. So in these two respects also, it is certain that this fund cannot be transferred at all. And I am not able to say anything with regard to the question whether this legislation is right and proper, for the reason that the purposes for which the balance is going to be spent is not specified in the Bill. Therefore my submission is that this piece of legislation is far beyond the scope of this Legislature. But one thing I may state: the framers of the Bill have taken care to see that this fund remains a fund in future also. There is the consciousness in their minds that this must continue to be a fund, up to 5 lakhs of rupees; that clearly shows a consciousness in the mind of the Government that this is a fund set apart for a certain purpose and they cannot meddle with it as they please. The analogy that is drawn by the Prime Minister between this fund and the excise or land revenue is not correct at all for this reason: Is there any fund created called the land revenue or excise fund? If really the purpose of the Government is to administer the minor ports irrespective of the balances, why should they set apart a fund of 5 lakhs at all? They could have said straightaway: 'We are going to administer the minor ports just as we do the Revenue department or the Excise department; we will bear all the charges whether there is any money or not. Are the Government in a position now to say that they will administer it as they do the Police or Public Works Department, whether they get money or no money? In the Public Works Department,

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the expenditure is more than the income; the Government do not restrict themselves to the income derived from the department. The case of other departments is different. Balance or no balance, the money must be spent on those departments, and if any surplus remains, that will go to the general fund."

MR. SPEAKER:—" Is it the hon. Member's contention that the Provincial Legislature is not competent to legislate for any balance above a certain sum, but that it can for any balance after expenditure?"

* MAHBOOB ALI BAIG SAHIB BAHADUR:—" Yes, Sir. And as far as this Ports Act is concerned, it is an all-India Act. It may be possible for the Governor-General to give his sanction to this Bill—that is the reason why I am not using the word *ultra vires*; and by the sanction it might be in order. I am not on that point now. The analogy that is drawn between this fund and the fund that is derived from other departments, Excise or Customs, is not correct at all. Balance or no balance, the Government spend money. Take the case of criminal justice: no profit is made. But witnesses have to be paid the batta and every item of expenditure must be met. There is therefore no real analogy at all between this fund and the revenue that may be derived from other sources.

" And then, Sir, what is the necessity for having a fund at all for ear-marking a certain revenue? Can you spend it for any other purpose? These funds are what are called reserve funds, created for the purpose of meeting unforeseen circumstances, emergencies. When this fund was first created, it was thought that there must be some reserve to meet an exigency. I would only draw the attention of this House to the recent storm in my district, and to what has happened in the districts of Kistna, East Godavari and West Godavari. Masulipatam has been very much damaged. Nobody knows when a storm might destroy a port. So, it is said, let there be a fund which is called the ' Port Fund,' which may meet exigencies of such extraordinary nature.

" But I do not mean to say that the paramount necessity of the State may not or ought not to divert such a fund. When there is a paramount necessity of the State, it may divert anything. Those are extraordinary circumstances. But we have not been told that such emergent, unusual, unforeseen circumstances exist now, in order to divert this fund. I do not contend that this is a trust fund. A certain fund has been ear-marked for a certain purpose. Why has this fund been created for this department only, and for no other department? It is quite necessary that such a fund must continue to be there in order to meet extraordinary circumstances, storms and such other things, which might affect these ports.

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"It has been said that for all these years it has not been operated, and nobody has complained about it. Now, Sir, I might submit, that during the Dyarchic Government, and prior to that, finance was a Reserved Subject. Nobody knew what money was there. Nobody knew there was any such thing as that. It was kept so close that the Finance Member never disclosed any such thing at all. I might tell the House for its information that for ten or fifteen years, whenever any Governor, any Minister or any Executive Councillor came to Kistna, invariably in the address, which the District Board or Municipality of Masulipatam presented to them, the demand was made that the Bandar Port must be improved. Further, it is said that the fund has been there, unspent for a long time, and therefore, you are not entitled to get it. (Hear, hear.) It is wrong. Anyway it is idle to contend—I say this with due respect to the Premier—that it might be spent for some other purpose. As I said, if there is any paramount necessity it might be diverted; but it has not been brought to our notice that there is any. On the other hand, the other side of the picture is this: It is very well known that these minor ports are in a very bad condition. Unless they are improved, as my friend Mr. Nuttall, has put it, they might go out of existence and the localities where those ports exist will suffer in their trade; and it is not the trader, or the vested interests but the agriculturist that pays for it ultimately. It may be said, 'Well, it is for services done and therefore the return is given to you; after expenditure, the State is entitled to appropriate it.' But I tell you that it is the agriculturist that suffers in the last resort. If he has to go to distant places, that is, to major ports he would get a lesser value than what he would if there were a port nearer home. So, Sir, the Government must either be prepared to say that they will administer these ports to the satisfaction of the people and keep them in good condition, and take upon themselves this matter just as any other matter that is under their governance, or not touch this fund which is kept there to meet any exigencies that may arise in these ports. I submit, Sir, that no paramount necessity to divert this fund has been alleged or proved; and I consider, Sir, that it will be improper, and as I have submitted, not only improper, but also illegal, to do any such thing."

* THE HON. MR. YAKUB HASAN:—"Sir, I wish to take the House, into my confidence and tell the members that the credit for discovering that such a fund exists does not go to the Finance Minister, who happens to be the Prime Minister. In the address that was presented to me by the South Indian Chamber of Commerce it was represented as if the Premier, on account of his greed for money was trying to grasp at whatever money was found available. And an appeal was made to me that I, as a merchant, will come to the help of my brother merchants and

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save this fund. Let me tell you that if the appropriation of an accumulated surplus is to be rightly characterised as a theft, I am the thief and the Prime Minister is an aider and abettor. I may tell the House that though the Ministers have a joint responsibility for the administration of the province, the Ministers have the work divided between the ten of them and every one is
7-45 p.m. *looking after his portfolio most zealously. And no one Minister* likes any trespass into his portfolio by any other Minister. And of all of them, I may tell you, I am very jealous about my department, and I do not allow anybody to trespass into my field. If I found that the transfer of these funds to the general revenues would make the minor ports suffer, I won't be a party to it.

"Sir, the Indian Ports Act is a Government of India Act, and it applies to all the ports throughout India. Section 36 of that Act contemplates that after crediting all the receipts to the fund and spending all that is necessary, i.e., after meeting all expenditure which is a legitimate charge on the port receipts, the surplus may be disposed of by the Local Government and this can be done, under sub-section (6) of section 36, by legislation. Sir, if the former Governments had disposed of all the balances from year to year, there would not have been any fund at all available to-day. But there was a time when the port revenues were not considered as anything separate from the *ordinary general receipts; the Government were at one time* using balances from this fund, and they also were in the habit of contributing liberally towards the necessities of these ports. In those days, there was no separate Ports Fund and the Government also were not so systematised in those days as now. Such things used not to come up before the Legislature or get approved by it.

"Now, however, though we have made much advance in other directions, in regard to this Ports Fund, the budget never used to come before the Legislature. Every year the budget relating to this found is passed by whom? By the Secretary to the Public Works Department of Government. It does not even come to me, unless I send for it with a view to look into the actual state of affairs. If, however, this Bill is passed, the budget will have to come to the Legislature. There is now an autocratic rule in the matter of this fund. A Minister can do whatever he likes, and nobody may know what he has done."

MR. SPEAKER:—"Is this House precluded from discussing the Minor Ports Fund and the activities of the Minister, regarding that fund?"

* THE HON. MR. YAKUB HASAN:—"I am giving information, Sir. This Legislature has got a perfect right to discuss any matter concerning any Minister and any of the subjects in his portfolio. It has got that right, and it is that right that is sought to be exercised now by this Bill.

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"The upshot of the whole discussion to-day is this: that this Minor Ports Fund contains more money than is necessary, and therefore we must reduce port dues. The argument was brought forward that because the income is more than what is needed to be spent, therefore, the port dues should be lowered. Sir, that is not the way to look at this question. The port dues should be reduced only if by reducing the fees, you can get an appreciable increase in traffic. On the other hand, if it is found that by increasing the port dues, traffic will not suffer, then we should increase the dues. After all, we know that these port dues do not come from the people of India, at any rate most of it does not. Mr. Nuttall said that the Government is treating port dues as if it was a kind of tax. If it is a question of our using the balances and treating port dues as a source of revenue, then it becomes a tax. But it is not a tax on the commerce of India. Port dues are paid on the tonnage of the vessels that enter these ports. They bring cargo from different places and also take cargo from our shores; so these port dues depend on the amount of traffic going through the ports. If it is found that port dues can be increased without affecting the amount of traffic, there is no reason why they should not be increased. But to say that because the income is more than the expenditure, therefore the port dues should be reduced, is a suggestion which I am surprised any merchant should make on the floor of this House.

"Another suggestion was made that as these funds are there, we can easily spend them away. Now, if you want a house big enough for you to live in, you can build a pakka house, but can anybody suggest that because large fund is available you should build a palace? Is this the advice that I am to be given? It was also said by some hon. Members that many demands were made for the improvement of ports but they were all turned down. Sir, I made the statement deliberately that not a single demand was turned down without good reason; and I now repeat it. I am speaking from knowledge; you have spoken from conjectures and on hypothesis; you have said that because Government have neglected these ports, therefore large surpluses have accumulated. I say it is not so—it is not so. I am speaking from an inner knowledge of the things.

"It was also said that Government have not done their duty, they ought to have gone round and found out what the needs of ports were. Why did not the Government do that? The attention of Government was drawn to the large surpluses from time to time, and in the year 1912, Sir Harold Stuart wrote down a minute to the effect: 'The funds might certainly be used for improvements. Grants could be given to the various landing and shipping funds which I believe are not in so flourishing a condition. The subject should be examined fully this summer.' And after that many schemes were examined, and

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if some of them were turned down, they were so turned down not because there were no funds,—they were always available—but for other reasons. For example, Mangalore made a demand for a sea-going dredger. That would have been a very costly thing; but the proposal was examined and it was found that considering the trade passing through that port and the port dues derived therefrom, this big investment was not justified. I have seen in the files that the proposal was thoroughly examined; much correspondence had taken place with the port officer; and the Government came to the conclusion that the sea-going dredger was not necessary, and that a suction dredger would be quite enough. That dredger was bought, for which half grant was made from the Minor Ports Fund and the balance was met from the Landing and Shipping Fund. This is one of several instances, where money was spent when it was found to be a legitimate expenditure.

"Everybody says 'My port, my port,' 'this port should be improved and that port should be improved.' But was the improvement demanded feasible? Mr. Schamnad took me recently to his port of Kasaragod. What do you think of that port? It does not exist as a port at all. Steamers never came to that port; even the small sea-going sailing vessels do not come there now; the total number that turns up at the port is about 200 a year. There are two big rocks near the opening and sand accumulates against them. The backwater in which boats used to take shelter has also silted up. Mr. Schamnad made a remark 'why not blast up the rocks?' Such impossible suggestions are sometimes made. At present there is a young man of 20 years of age in charge of the port, and he is getting some Rs. 20. That man on that pay is quite enough to look after such a port. What could I do to oblige Mr. Schamnad? If I will give him Rs. 1 lakh or Rs. 2 lakhs, how can he spend it? Take another case. My hon. Friend, Mr. Basheer Ahmed, made representations to Government about ports in South Arcot. I recently visited Porto Novo with him. At one time much groundnut traffic was going through the port of Porto Novo, but since the Vriddhachalam line was opened and since the railway ocmpany is charging the same rate on goods taken from Vriddhachalam and other places beyond it, the trade of Porto Novo has greatly diminished because the rate for goods from Vriddhachalam to Cuddalore is the same as that charged to Porto Novo. There are better facilities of shipping at Cuddalore. Hence all the traffic has been diverted there from Porto Novo. Only one steamer calls at Porto Novo from the Straits once in a fortnight, and this steamer touches all ports along the coast from Negapatam to Madras and passengers alight at Porto Novo and a few embark there when the same steamer touches there a week after on its outward journey."

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MR. SPEAKER :—" Does the hon. Member require a very long time to finish? "

* THE HON. MR. YAKUB HASAN :—" Only a few minutes, Sir. Goods traffic is confined to a few bags of betelnuts that come from the Straits and the export of goods required for the use of Indian settlers in the Straits. All that was needed at this port was only a shed for the passengers and nothing else and yet the Chamber of Commerce has included Porto Novo in the list of ports that require a great deal of improvement. I am dealing with the matter at some length simply to show that people may send in representations to the Hon. Ministers and present addresses to His Excellency the Governor and the Hon. Premier, but the demand that they make do not always prove feasible on examination.

" Now in regard to the surplus, I have to point out that during the last three years eight lakhs were earned by way of interest on the surplus fund. Now, if you examine the accumulation of 60 lakhs you will find that a very large portion of it has come by way of interest. This fund was not created as some people seem to imagine as a trust fund. Income comes to the treasury and expenditure goes out of it and the balance left is surplus, and this account goes in the name of Minor Ports Fund. It is not a trust fund and it is not as if we cannot use the surplus for other purposes. I may also tell you that it is not due to any negligence of the Government that the ports are not functioning as well as we would like them to function, but there have been many other factors which have reduced the importance of some of these ports, whereas some other ports have gained importance."

MR. SPEAKER :—" Does the Hon. Minister propose to take a long time for all this? "

THE HON. MR. YAKUB HASAN :—" Only ten minutes more, Sir."

MR. SPEAKER :—" If the Hon. Minister could finish in ten minutes the House may sit and finish once for all. It is already past eight."

* THE HON. MR. YAKUB HASAN :—" Now, Sir, the Cochin Port has become a big harbour; Vizagapatam also has become an important harbour and in course of time some other may also become a major port, and the Government of India may try to 8 p.m.
take it under its control. The same thing can be done in the case of Mangalore. A big dredger can be purchased, the channel can be excavated so that it may allow steamers to come into the protected port instead of remaining outside in the sea at a distance of two miles. If three crores or so are spent the port

of Mangalore can be made an important port. Are you prepared to spend that amount? You will have to find funds for it elsewhere; for, the Minor Ports Fund is not meant for such a purpose. It is a fact that for the sake of making major ports like Vizagapatam and Cochin, ports of Bimlipatam and many other ports were made to suffer; because the traffic, which was going to these ports before, was diverted to major ports by railway companies. Minor ports have suffered to a very great extent because of competition. My hon. Friend, Mr. Nuttall, said that because minor ports are neglected the traffic has gone to major ports. It is not so, but it is in fact due to various other factors.

"I now come to the question of surpluses. We have every power to take away the surpluses. These surpluses could have been taken away from time to time before and what could have been done any time during the thirty-three years last can be done now. There is nothing wrong about that. But if you say that the needs of the ports should be the first claim on these accumulated funds, I am entirely at one with you. You have every right to say that instead of using all the surplus amount for other general revenue purposes, we should use some of it for the improvement of ports and I agree with you.

"Mr. Nuttall said that I have received many representations. Of course I have gone through them and am having them fully examined. He also stated that he had received several representations in which proposals were made which would cost about 25 lakhs of rupees. I would ask him to send those proposals to me so that I might examine them.

"It was observed, why only five lakhs should be kept as permanent balance and why not keep more in the Minor Ports Fund? What we say is, that there need not be a balance of more than five lakhs outstanding in the Fund. There is no special virtue attached to that figure. Money has been lying idle so long and if we say that more than five lakhs is unnecessary, it does not mean that all the amount in excess of five lakhs will be spent away. My contention is this. We have been spending on an average of one lakh per year on improvements to ports without neglecting anything. The Presidency Port Officer has sent in many schemes and I am sure the schemes that Mr. Nuttall has in view will be covered by the schemes of the Port Officer; and my estimate is that even if all these on careful examination are found justifiable and are carried out, the contributions that the Minor Ports Fund will be required to make towards their cost will not exceed twelve lakhs. Moreover, all these things cannot be done in the course of one year and must necessarily have to be spread over a number of years and so the normal surplus of one and a half lakh a year itself will be enough to cover the cost of all these schemes. Then too we won't take away all the money, but something will be kept.

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"It was observed by one hon. Member that there may be a storm and some ports may be damaged. These five lakhs may not be enough to meet the situation. Mr. Appadurai Pillai said that if five lakhs is distributed to all the 104 ports, the amount that each would get would be very small. Is that the way to look at the matter? Whenever a storm comes, Mr. Nuttall should know some damage is done and that damage is repaired from various funds concerned. The port will not disappear altogether in any case. Even if there is exceptionally serious damage to any port, the Government is always there to attend to it. As Mr. Basheer Ahmed has pointed out we are taking up a great responsibility in respect of ports in taking over this fund to the general revenues. We give you an undertaking that whatever is reasonably required by the ports will be provided and people need not have any compunction in the matter that by voting for this legislation and for the transfer of the accumulated surpluses in this fund, they are doing anything wrong or depriving minor ports of anything that is their due or doing any injustice to people."

MR. SPEAKER:—"The question is that the Madras Minor Ports Fund Bill, 1938, be circulated for eliciting public opinion."

The amendment was put and lost.

MR. SPEAKER:—"The question is that the Madras Minor Ports Fund Bill be referred to a Select Committee consisting of the following members and that the Select Committee be instructed to report on or before the 5th December 1938:—

(1) The Hon. Sri C. Rajagopalachariar.
(2) Diwan Bahadur A. Appadurai Pillai.
(3) Mr. J. Nuttall.
(4) Sri C. J. Varkey.
(5) ,, T. T. Krishnamachariar.
(6) ,, N. S. Varadachari.
(7) H. S. Hussain Sahib Bahadur.
(8) Sri M. Pallam Raju.
(9) ,, A. Vedaratnam Pillai.
(10) ,, A. B. Shetty.
(11) The Hon. Mr. Yakub Hasan (Mover)."

The motion was put and declared carried.

Mr. J. Nuttall demanded a poll.

A poll was taken and the House divided thus:—

Ayes.

1 The Hon. Sri C. Rajagopalachariar.
2 ,, Sri T. Prakasam.
3 ,, Mr. Yakub Hasan.
4 ,, Dr. P. Subbarayan.
5 ,, Sri S. Ramanathan.
6 Sri A. Kaleswara Rao.
7 ,, T. Viswanatham.
8 ,, K. R. Karant.
9 Sri C. J. Varkey.
10 ,, P. M. Adikesavalu Naicker.
11 ,, N. Annamalai Pillai.
12 ,, Muthu Kr. Ar. Kr. Arunachalam Chettiyar.
13 ,, S. C. Balakrishnan.
14 ,, Y. V. A. Bhaskara Rao Mahasayo.

Ayes—cont.

15 Sri V. Bhuvarahan.
16 ,, S. Chidambara Ayyar.
17 ,, N. S. Varadachariar.
18 ,, M. P. Damodaram.
19 ,, M. Doraikannu.
20 ,, D. Govinda Doss.
21 ,, C. K. Govindan Nayar.
22 ,, V. J. Gupta.
23 ,, K. Ishwara.
24 Mrs. Johamoney Masillamoney.
25 Sri Kala Venkata Rao.
26 ,, E. Kannan
27 ,, A. Vedaratnam Pillai.
28 Ahmed Thambi Muhammad Mohideen Maracair Sahib Bahadur.
29 Sri M. Bhaktavatsalam.
30 ,, A. Karunakara Menon.
31 ,, K. Kolandavelu Nayanar.
32 ,, L. Krishnaswami Bharathi.
33 ,, K. Kulasekaran.
34 ,, K. Kuppuswami Ayyar.
35 Srimathi A. V. Kuttimalu Amma.
36 Sri O. Lakshmanaswami.
37 ,, P. Lakshmanaswami.
38 Srimathi V. Lakshmi Ammal.
39 ,, K. Lakshmi Ammal.
40 Sri P. Madhavan.
41 Mrs. K. Rukmini Lakshmipathi.
42 K. S. Muhammad Abdul Kadir Ravuttar Sahib Bahadur.
43 Sri A. Pl. N. V. Nadimuthu Pillai
44 ,, S. Nagappa.
45 ,, N. Nagaraja Ayyangar.
46 ,, P. L. Narasimha Raj.
47 ,, C. Narasimham.
48 ,, D. Narayana Raju.
49 Sri K. V. Narayana Rao.
50 ,, V. C. Palaniswami Goundar.
51 ,, M. Pallam Raju.
52 ,, P. Pedda Padalu.
53 ,, K. S. Periyaswami Gounder.
54 ,, K. Periyaswami Gounder.
55 ,, M. P. Periyaswami.
56 ,, R. Raghava Menon.
57 ,, R. B. Ramakrishna Raju.
58 ,, D. Ramalinga Reddiyar.
59 ,, A. Ramalingam.
60 ,, K. S. Ramaswami Goundar.
61 ,, K. Sakthivadivelu Goundar
62 ,, K. A. Shanmuga Mudaliyar.
63 ,, B. T. Seshadri Achariyar.
64 ,, Kallur Subba Rao
65 ,, N. M. R. Subbaraman.
66 ,, C. P. Subbiah Mudaliyar.
67 ,, K. V. R. Swami.
68 ,, P. Syamasundara Rao.
69 ,, V. S. R. M. Valliappa Chettiyar
70 ,, K. Varadachari.
71 ,, P. T. Venkatachari.
72 ,, S. C. Venkatappa Chettiyar.
73 ,, K. Venkatappayya.
74 ,, P. Venkatarama Ayyar.
75 ,, B. S. Venkataramayya.
76 ,, V. Venkatasubbayya.
77 ,, K. P. Yegneswara Sarma
78 ,, A. Jogi Nayudu.
79 P. K. Mohideen Kutti Sahib Bahadur.
80 Basheer Ahmed Sayeed Sahib Bahadur.
81 Mrs. Khadija Yakub Hasan.
82 Sri A. Chandoo.

Noes.

1 Diwan Bahadur A. Appadurai Pillai.
2 Khan Bahadur P. M. Attakoya Thangal Sahib Bahadur.
3 Sri B. Bhakthavathsalu Nayudu.
4 Zamindar of Chellapalle.
5 Abdul Hameed Khan Sahib Bahadur.
6 H. S. Hussain Sahib Bahadur.
7 A. K. Kader Kutti Sahib Bahadur
8 Mahboob Ali Baig Sahib Bahadur.
9 Mr. E. H. M. Bower.
10 Mr. G. L. Orchard.
11 ,, G. E. Walker.
12 ,, W. K. M. Langley.
13 ,, F. G. Luker.
14 ,, J. Nuttall.
15 ,, G. B. Reade.
16 Sri T. T. Krishnamachariar.
17 M. Ahmed Badsha Sahib Bahadur.
18 K. Abdur Rahman Khan Sahib Bahadur.

Ayes: 82. *Noes*: 18.

The motion was carried.

HON. MEMBERS:—"Who is the Chairman of the Select Committee?"

MR. SPEAKER:—"The Hon. Mr. Yakub Hasan is the Chairman of the Committee."

The House then adjourned to meet again at 3 p.m. the next day.

APPENDIX I.

[Vide answer to starred question No. 279 asked by Sri K. R. Karant at the meeting of the Legislative Assembly held on the 30th November 1938, page 268 supra.]

THE DREADED "MAHALI."

A timely warning to areca-growers.

Every arecanut-grower in South Kanara and Malabar is now familiar with the *Mahali* or *Koleroga* disease of arecanuts and what it means to him. It is needless to stress the danger of inaction which has often landed cultivators on the verge of ruin. When the disease broke out during the 1936 monsoon, many growers were caught unaware at a period when they were not prepared. Many were without sprayers and could not get them either for love or money. Those who managed to get sprayers from distant places found that the bulk of their crop had been lost in the space of a few days in which they managed to obtain sprayers and chemicals. During 1937, however, owing to the strenuous propaganda work done by the Agricultural department and the costly lesson which growers learnt for themselves, the results were different. There was general preparedness all round. Large quantities of sprayers and chemicals were available in the district and well over 90 per cent of the area in the important arecanut centres was sprayed. The results were convincing. Despite heavy and continuous rainfall which was favourable for an equally bad or worse outbreak of the disease, almost the whole crop was saved.

Now that the spraying season is approaching, areca-growers in South Kanara and Malabar are again warned against any relaxation of their efforts. They should realize that the normal yields which they obtained from the last crop was entirely due to the protection afforded by timely spraying. It is extremely dangerous to gamble with the weather in the hope that the disease may not appear this year or that spraying can be done when it appears. Special field experiments conducted by the department last season showed conclusively that the time of spraying is very important and that two sprays are immensely better than a single spray. The first spray should be given before the monsoon sets in and the second about six weeks later. Once the disease breaks out in a garden, no amount of hurried action can save the full crop.

All growers should now provide themselves with sufficient number of sprayers and enough chemicals for their immediate needs. Old sprayers should be tested, worn-out parts repaired or replaced and kept in good working order. Experiments conducted during the last season have shown that casein and vegetable oils are good spreaders suitable for addition to Bordeaux mixture.

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Either of these can be used in place of the resin soda adhesive which was largely used in former years.

Leaflets on the preparation and correct application of the protective mixture and any other information required can be had from the Agricultural Demonstrators stationed in each taluk or directly from the Deputy Director of Agriculture, Tellicherry.

APPENDIX II.

[Vide answer to starred question No. 287 asked by Sri V. M. Ramaswami Mudaliyar at the meeting of the Legislative Assembly held on the 30th November 1938, page 273 supra.]

Statement showing the bus routes in the City and the companies that operate on each route.

Name of route. (1)	Name of Company or person whose buses are permitted to run in the route. (2)
1 Parry's Corner to Triplicane ..	Presidency Transport, Ltd. Triplicane Bus Amalgamation Transport, Ltd.
2 Parry's Corner to Mylapore ..	Hindustan Transport, Ltd. Public Passenger Service, Ltd.
3 Parry's Corner to Adyar ..	Public Passenger Service, Ltd.
4 Parry's Corner to Perambur ..	General Public Service, Ltd. South Indian Bus Transport. City Motor Service, Ltd.
5 Parry's Corner to Theogaroyanagar ..	City Motor Service, Ltd.
6 Parry's Corner to Aminjikarai ..	Aminjikarai Buses, Ltd.
7 Triplicane to Mint Street ..	Presidency Transport, Ltd. Triplicane Bus Amalgamation Transport, Ltd.
8 Mint Street to Kellys Road ..	Presidency Transport, Ltd. General Public Service, Ltd.
9 Rayapuram to Mylapore ..	Public Passenger Service, Ltd.
10 Mount Road to Kellys Road ..	Hindustan Transport, Ltd. Public Passenger Service, Ltd.
11 M.U.C. to Infectious Diseases Hospital.	Hindustan Transport, Ltd. Public Passenger Service, Ltd.
12 Theogaroyanagar to Triplicane ..	City Motor Service, Ltd.

THE MADRAS LEGISLATIVE ASSEMBLY.

Thursday, the 1st December 1938.

The House met in the Assembly Building, Chepauk, at three of the clock, Mr. Speaker (THE HON. SRI B. SAMBAMURTI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Investigation of complaints against Police officers for alleged corruption or misconduct.

* 296 *Q.*—SRI V. S. R. M. VALLIAPPA CHETTIYAR: Will the Hon. the Prime Minister be pleased to state—

(*a*) the number of complaints the Government have received, from 14th July 1937 till now, against Police officers about their alleged misconduct or corruption and the action taken thereon by the Government;

(*b*) the procedure adopted by the Government in dealing with such enquiries; and

(*c*) whether the Government will consider the desirability of appointing a permanent anti-corruption committee to deal with such enquiries?

THE HON. SRI C. RAJAGOPALACHARIAR:—" (*a*) & (*b*) The assumption of office by the present Government seemed to give an enormous impetus to the inclination of persons to send complaints against officials of all departments.

" Five hundred and thirty-six such complaints were received by the Government in the period in question, not to speak of informally written letters addressed to the Premier and other Ministers. The complaints were disposed of according to the varying nature of the subject-matter. Some were demi-officially sent to the Inspector-General of Police or the District Magistrate for prompt action. The majority were sent officially, to the Inspector-General of Police or the District Magistrate concerned for necessary enquiry and action. Action is not taken by the Government upon complaints and petitions which are merely copies of those already presented to the competent police or magisterial authority, except for special reasons.

" (*c*) On the whole, the Government have no reason to be dissatisfied with the action taken in the department. The

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Government do not believe that the appointing of a permanent committee of the nature indicated in the question will do much good, and they fear that it may lead to new forms of corruption and the victimization of smaller officials."

SRI V. S. R. M. VALLIAPPA CHETTIYAR:—"Are the Government aware that the general public have very little confidence. . . .?"

SRI V. V. NARASIMHAM:—"దయచేసి తెలుగులో మాట్లాడవలెను."

MR. SPEAKER:—"మీకు ఇంగ్లీషు రాదా?"

SRI V. V. NARASIMHAM:—"రాదండి"

MR. SPEAKER:—"He wants to know what you said."

THE HON. SRI C. RAJAGOPALACHARIAR:—"ఇంటికివస్తే చాలా వివరంగా చెపుతాను."

SRI S. NAGAPPA:—"ఇంటికి వచ్చుటకు నేనొక్కడనే కాదు. ఇంగ్లీషు తెలియనివారు చాలామంది వున్నారు"

MR. SPEAKER:—"He says that there are very many members who do not know English and who cannot follow the proceedings of the House."

THE HON. SRI C. RAJAGOPALACHARIAR:—"If the member himself had put the question, I would have gone out of my way in answering in Telugu, but I think that in supplementary matters, he may be requested not to . . ."

MR. SPEAKER:—"It is not supplementary; he wants to know the original answer."

THE HON. SRI C. RAJAGOPALACHARIAR:—"I am sorry I am not able to translate it."

SRI S. NAGAPPA:—"ప్రధానమంత్రిగారు సెలవిచ్చిన సమాధానమును దయచేసి ఎవరిచేతనైనా తెనిగిస్తారా?"

MR. SPEAKER:—"He wants to know whether it could not be translated by somebody else for the benefit of non-English-knowing members."

THE HON. SRI C. RAJAGOPALACHARIAR:—"The matter will be duly considered whether we should appoint translators to translate all the questions for the benefit of the members

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of this House and publish the answers if not at once, at least after they are given, and the translations are ready. The Government will see whether such expenditure may be incurred with any useful purpose."

MR. SPEAKER :—" ఈ ప్రశ్నమీద మీరు సప్లిమెంటరీ ప్రశ్న అడుగుతారా ?"

SRI S. NAGAPPA :—" మొట్టమొదట దీనికి ప్రత్యుత్తరమిచ్చిన తరువాత మేము అడుగుతాము. ప్రధాన మంత్రిగారు చెప్పిన విషయాన్ని తెలుగులో చెప్పవలెను.

MR. SPEAKER :—" మీరు సప్లిమెంటరీ question వేయదలచుకో లేదన్నమాట. "

SRI S. NAGAPPA :—" ఇంగ్లీషులో చెప్పితే మాకు తెలియడము లేదు. మేమిక్కడ జరుగుచున్న విషయమొక్కటియు తెలిసికొనలేక పోవుచున్నాము. ఇవి తెలిసికొనవలెనని మాకు చాలా ఆతురతగా యున్నది. మాకు కూడా ఇవి తెలియాలని మీకు ఆతురత లేదా ?"

MR. SPEAKER :—" The hon. Member says that they have not been able to understand what the Premier said, that the proceedings being in English, they were not able to follow the proceedings, they were merely sitting there, unable to follow even a bit of what was going on, and they must be able to follow. This is rather an important question regarding the police and they want to put supplementary questions. The hon. Member asks how they can do it."

THE HON. SRI C. RAJAGOPALACHARIAR :—" I do not object to spending some time in discussion on this very difficult question of languages in a province where we have Telugu, Kannada, Tamil, Malayalam, Hindustani and perhaps, Tulu also—I am not quite sure of the composition of this House with respect to that. It resolves itself into this: that everything that is said has to be rendered into every one of these other languages and everything said in any one of these various languages has again to be rendered immediately or within a useful interval, in the course of the discussion to every one else, if every one is to understand what every one has said in all the various languages. All these difficulties will have to be solved. My enumeration of these difficulties, I know, does not remove them, but it shows the nature of the difficulties and the necessity for a considered solution of the question. I, therefore, want you, Sir, to tell these gentlemen who have suddenly started this question to-day, that this is not the time for taking up this question."

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MR. SPEAKER:—"This question of corruption is a very important one. Every one must have the benefit of putting a number of supplementary questions, about the corruption that is alleged to be going on."

THE HON. SRI C. RAJAGOPALACHARIAR:—"This is a question of corruption; and the next is an important one; and the next is an equally important one."

MR. SPEAKER:—"All important questions are reserved for to-day."

THE HON. SRI C. RAJAGOPALACHARIAR:—"I do not think that we can afford to describe any matter that is taken up here as unimportant and I do not think that these points that have been raised have been raised because of the importance of the question or the answer. If they had understood the nature of the question and then said, it would be something. But I understood them to say that they did not understand a word of what was going on."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"I . . ."

THE HON. SRI C. RAJAGOPALACHARIAR:—"Is it also a supplementary question, Sir?"

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"I want information from the Government, whether, if they are going to appoint translators for Telugu, they will appoint translators for Malayalam, Kanarese and such other languages."

MR. SPEAKER:—"What is the right of the Government to appoint translators for the Legislature? Can they be members of the Legislature? Can any non-member address the Legislature? Can the Government appoint more members to the Legislature than what it has? The Government have no such right."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"I presume they can make the necessary facilities . . ."

MR. SPEAKER:—"It has been repeatedly pointed out that no Government can add more members to the Legislature than what the constitution provides."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"Perhaps some secretaries who know the language . . ."

MR. SPEAKER:—"But does the secretary address the Legislature?"

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"He would only translate . . ."

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MR. SPEAKER :—" It would be simply addressing the Legislature, repeating what the member has said."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR :—" The Speaker must know all the languages."

MR. SPEAKER :—The Speaker knows 20 languages. But does he propose to translate all that is going on? "

SRI R. M. PALAT :—" May I say a word on this point? Section 85 is quite clear."

MR. SPEAKER :—" Apart from the section, it is now the convenience of the House, of the Members, that is being consulted. Does the hon. Member mean to say that a member is not entitled to know the proceedings of the Legislature? "

SRI R. M. PALAT :—" On a point of order . . ."

MR. SPEAKER :—" Leave aside the point of order and the section. The Member raised a point that he is entitled to know the proceedings of the House. Is the hon. Member saying that he is not entitled to? "

SRI R. M. PALAT :—" Under the Act, he is not entitled."

MR. SPEAKER :—" Does the hon. Member for Calicut say that non-English-knowing members of this House are under the constitution debarred from knowing the proceedings of the House? "

SRI R. M. PALAT :—" Well, that is the Act. I am not responsible."

MR. SPEAKER :—" Does the hon. Member attribute such wisdom to Parliament, the most democratic of world's parliaments, that they have thought that a large number of members who do not know English should be debarred from knowing the proceedings of the Legislature? "

SRI R. M. PALAT :—" If one is to judge of its wisdom from the enactment . . ."

MR. SPEAKER :—" I suppose the hon. Member will credit the English Parliament with greater wisdom."

RAO BAHADUR SIR A. T. PANNIR SELVAM :—" The section does not. . . ."

THE HON. SRI C. RAJAGOPALACHARIAR :—" On a point of order, Sir, I should like to know what we are doing just now. Surely we have not raised a debate on this question. I was trying to explain a difficulty in answering a question supplementary in form at least. I was explaining to you, Sir, the difficulty in the hope that it will be men-

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tioned to those gentlemen who raised it by way of a supplementary question. It should not at once deteriorate into a general debate, with many members standing up at the same time."

MR. SPEAKER:—"Many members are not talking at the same time. Members may stand simultaneously but only one will address."

THE HON. SRI C. RAJAGOPALACHARIAR:—"Then I submit we are going into a regular debate."

MR. SPEAKER:—"Members are entitled to enlighten the House upon the difficulty that has arisen just as the Premier has enlightened us upon the difficulty."

THE HON. SRI C. RAJAGOPALACHARIAR:—"If I may ask you, Sir, to explain what we are at now, on a point of order, I am entitled to ask and you are entitled to give me information. But it will deteriorate into a debate if every hon. Member is going to enlighten."

MR. SPEAKER:—"The Chair will take care that it will not deteriorate into a debate."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"Particularly because of the warning given by the Hon. Premier—deterioration into debate—I am rising only to a point of order, Sir. True, the hon. Member is inconvenienced by not knowing English and the Hon. the Premier answered in English—but the law says that the proceedings of this House shall be conducted in the English language. Therefore the language of this House is English in which one is expected to speak if he knows English, just as in a Court of law. English is the court language. But for the convenience of those who are not conversant with that language, facilities are provided by way of translators and things like that. And I am sure that as you said the House of Commons are not so stupid as to say that members who are not conversant with English shall be debarred from participating in the proceedings. They accepted one language as the language of the House. But for the convenience of those who are not conversant with that language, they expect us to make some provision. And till that provision is made . . ."

5
1. MR. SPEAKER:—"What is the solution you suggest? He wants it now. Is he to be debarred from knowing it? He wants the answer in Telugu. That is the position now."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"It is for you to devise ways and means."

MR. SPEAKER:—"Of course, I shall find the necessary ways and means. The Hon. the Premier has suggested that the consideration of the subject might be postponed, and you have

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risen to enlighten upon some course which if followed will solve the difficulty which has now arisen with regard to a very important question."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—" It would be presumptuous on my part to try to solve a difficulty which baffles you and the Hon. the Premier. But I am only pointing out that what my friend Mr. Palat raised was the fact that. . . "

MR. SPEAKER:—" Did the British Parliament contemplate that membeıs who do not know the English language should not know the proceedings of the House? "

SRI R. M. PALAT:—" On a point of order, Sir. You asked what the intention of the British Parliament was. I did not say what the mind of the British Parliament was. But if it is to be judged by the Act as it stands, it is clear that section 85 of the Act also takes notice of cases of members who do not know English.

MR. SPEAKER:—" Those sections are known to everybody. The hon. Member took up an extraordinary position that from the Statute the British Parliament contemplated that members not knowing the English language need not know the proceedings of the House. That is an extraordinary position which the Mother of Parliaments would never have contemplated."

SRI R. M. PALAT:—" I do not say what the Parliament contemplated; but I only wanted to know what the intention of the Act is as judged from what it states. Obviously, it is your inference that I meant . . ."

MR. SPEAKER:—" Yes."

THE HON. SRI C. RAJAGOPALACHARIAR:—" I entirely agree with you, Sir, that the section that was referred to contemplates only one aspect of the matter and there is obviously no pertinence to the point. I who can understand and know English fairly well, when a member does not know English but whose vote I have a right to get by persuasion and not by personal canvassing, have a right to insist upon addressing in Telugu or in Tamil or in Malayalam whicheveı is found to be necessary and possible for me to convince that member, even though it is not within the contemplation of the said section. As a matter of fact, section 85 as it stands contemplates that if I do not know English, then alone I can speak in Tamil or in any other language. It does not lay down as to what I should do with reference to Swami Sahajanandam who does not know English and to convince whom I must address in Tamil, at least with regard to a certain portion of my speech. However, questions of this kind are likely to arise for consideration, and I am inclined to submit to you that it is possible

that you should have to exercise the right to fill up the gap that has been left, even taking section 85 to be conclusive as regards the cases it should cover."

MR. SPEAKER :—" I have never agreed that it is conclusive with regard to this matter. The interpretation of some of the hon. Members seems to be sound while that of the others unsound."

THE HON. SRI C. RAJAGOPALACHARIAR :—" I am coming to this."

MR. SPEAKER :—" I do not agree that the British Parliament could ever have thought so."

THE HON. SRI C. RAJAGOPALACHARIAR :—" I have to make a personal explanation as regards the word " deterioration.' Sir Pannir Selvam referred to it as something wrong. I used it in this way. Anything out of place is wrong and as a matter of distinction anything out of place is described as deterioration and so forth. When a debate deteriorates into interpellations and questions deteriorate into a debate, it is deterioration in itself. I did not mean any offence to the debate itself, nor did I refer to the character of the debate itself. All I meant was that that was not the time for discussion, and I submit now, Sir, that this matter may be taken up, if necessary, along with framing of rules."

MR. SPEAKER :—" So far as the present question is concerned, I would suggest that the Hon. the Premier may direct his Chief Parliamentary Secretary who knows Telugu to answer the question in Telugu, because the hon. Member has persistently wanted the answer in Telugu and he is entitled to know it. So, the Hon. the Premier may direct his Parliamentary Secretary to translate the English answer into Telugu."

THE HON. SRI C. RAJAGOPALACHARIAR :—" If we begin now asking a Telugu-knowing Parliamentary Secretary to talk, it can be easily disposed of, but if another member wants it in Malayalam? "

MR. SPEAKER :—" Let us see. The present difficulty is that Mr. Narasimham wants to know the answer given by the Hon. the Premier. He has a right to know as to what was the answer, and so the Parliamentary Secretary may be asked to answer it in Telugu."

THE HON. SRI C. RAJAGOPALACHARIAR :—" With great deference, Sir, immediately we do this, does it not set up a precedent? "

MR. SPEAKER :—" I cannot allow the proceedings to go a step further without satisfying the hon. Member of the House. He has got the privilege of knowing the proceedings of this House, and we must find some solution for it.

THE HON. SRI C. RAJAGOPALACHARIAR :—" But immediately we do this. . ."

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MR. SPEAKER:—" He insists upon knowing the proceedings of this House for the time being and he wants to know the answer to an ' important ' question. Some device must be made for the solution of this difficulty, because if we proceed to the next question, this question cannot be traversed over again. I suggest that this question may be answered in Telugu also to the satisfaction of the Telugu-knowing member who says he does not know English. That is the only solution."

THE HON. SRI C. RAJAGOPALACHARIAR:—" If it is your ruling that this question should be answered in Telugu, I shall immediately hand it over to Mr. Kaleswara Rao to do it in Telugu."

MR. SPEAKER:—" I suggest a solution for the difficulty, because that member has a right to know the proceedings."

THE HON. SRI C. RAJAGOPALACHARIAR:—" The difficulty is certainly there, but I only want to point out the further difficulties that may arise. If this is ruled by you and if it is done, it will have to be followed immediately even for other languages."

MR. SPEAKER:—" Does the Hon. the Premier hold that the Speaker can pass over the difficulty ? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" I don't."

MR. SPEAKER:—" The hon. Member insists upon knowing the proceedings of this House; can I say . . ."

THE HON. SRI C. RAJAGOPALACHARIAR:—" I shall stop it there."

MR. SPEAKER:—" Yes. I think the Chief Parliamentary Secretary may be asked to translate that answer for the benefit of the member. . .

" I may at once inform the hon. Members of this House that this solution of the difficulty is not in respect of the interpretation of section 85. That section relates to a member not knowing English, talking in his own mother-tongue. That is a different problem altogether. Here and now a situation has arisen where a member not knowing English wants to know what is happening in this Legislature and what the answer given by the Hon. the Premier is. I think he has a right to know that and his request is perfectly reasonable. So I have suggested a solution of the immediate difficulty by the translation of the answer."

(Sri A. Kaleswara Rao next translated the answer in Telugu.)

SRI A. KALESWARA RAO:—

"(a), (b) ప్రస్తుత ప్రభుత్వము ఉద్యోగము స్వీకరించుటతోడనే చాలామంది ప్రజలకు అన్ని (department) డిపార్టుమెంటు ఉద్యోగస్తులమీద ఫిర్యాదులు (complaints) పంపవలెనని ఒకవిధమైన ఉద్దేశ్యము కలిగింది. 536 ఫిర్యాదులు గవర్నమెంటువారికి ఈ కాలములో వచ్చినవి. ఇంకా అనేకమైన ఉత్తరములుకూడా ప్రధాన మంత్రిగారికిని, ఇతర మంత్రులకును రాబడ్డవి. ఈ ఫిర్యాదుల నన్నింటిని అనేక విధములుగా పరిష్కరించారు. కొన్ని పోలీసు ఇన్స్పెక్టరు-జనరలుగారికి పంపినారు.

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కొన్ని డిస్ట్రిక్టు మేజిస్ట్రేటుగారికి తక్షణమే చర్య తీసుకొనవలెనని పంపినారు. చాలా మట్టుకు ఉద్యోగియుక్తరీత్యానే తగిన విచారణచేసి చర్య తీసుకొనుటకు పంపబడినవి. అక్కడ స్థానిక అధికారులగు పోలీసువారికిని (Magistrate) మేజిస్ట్రేటులకును పంపి ఇక్కడకు నకళ్లు మాత్రము వచ్చినవాటికి చర్య పుచ్చుకొనలేదు. కొన్ని విషయములలో తప్ప.

"(c) "మొత్తముమీద డిపార్టుమెంటువారు తీసుకున్న చర్యలు గవర్నమెంటు వారికి ఏవిధమైన అసంతృప్తిని కలుగచేయలేదు. అట్టి అసంతృప్తికేమియు కారణములేదు. ఒక శాశ్వతమైన కమిటీని అనగా ఈ ప్రశ్నలో అడిగిన మోస్తరుగా వుండే కమిటీని ఏర్పాటుచేయుటకు అవసరములేదని తలచుచున్నాము. ఇటుల కమిటీని నియమించినచో ఉద్యోగస్థులమీద, ముఖ్యముగా చిన్నచిన్న ఉద్యోగస్థుల మీద అక్రమమైన ఫిర్యాదులు వచ్చునని గవర్నమెంటువారు భయపడుతున్నారు."

Mr. SPEAKER :—"నేను నిలబడినప్పుడు మెంబర్లు కూర్చోవాలి. ఇప్పుడు మొదట వేసినట్టి ప్రశ్నయేవస్తే, సభ్యులకు ఇక్కడ ఇంగ్లీషులో జరిగేటట్టి చర్చ తెలియవలసిన హక్కు వుందా, లేదా అంటే హక్కు వున్నమాట వాస్తవమే. ఆ హక్కు ఏవిధంగా లభిస్తుంది. ఇంగ్లీషులో చెప్పే జవాబులు, ఇంగ్లీషులో చేసే ఉపన్యాసములు తెలుగువచ్చినవారికి; ఇంగ్లీషు రాకుండా తమిళము, కన్నడము వచ్చినవారికి తెలిసే మార్గమునుగురించి ప్రధాన మంత్రిగారు ముందు ఆలోచిద్దామని చెప్పినారు. ఇంగ్లీషు రాకుండ తెలుగు వచ్చినవారు, కేవలము తమిళము, కన్నడమువచ్చినవారు ఓపిక పట్టాలి. ఈ జవాబు తెలుగున చెప్పించాము. ఈ జవాబులన్నీ తెలుగున చెప్పించమని ఈవేళ ప్రారంభిస్తే ఒక్క ప్రశ్నకూడా ఈవేళ జరుగదు. ఏ చర్చాకూడా జరుగదు. ప్రస్తుతము వారు కోరిన హక్కు న్యాయమైనది. సక్రమమైనది. ఆ హక్కు చలాయించేవిధము ఎటుల రావలసివుంటుందో దానినిగురించి ఆలోచనచేయవచ్చునని ప్రధాన మంత్రిగారు చెప్పినారు. సభ్యులందరకు ఆ హక్కుకలదు. మీరందరు ఓపికపట్టి ఈవేళకు మాత్రము ఈ (*proceedings*) జరగనివ్వండి కొన్నాళ్లయిన తరువాత ఈ మార్గమాలోచిద్దాము."

"But, for the present, I would request hon. Members to allow the proceedings to go on, and I assure some solution will be found for the difficulty, the members having a right to know the proceedings of the House irrespective of section 85."

Sri G. RANGAYYA NAYUDU :—"ఐతే ఉపప్రశ్నలు తెలుగులో అడగకూడదా?"

Mr. SPEAKER :—"తెలుగులో ప్రశ్నలు అడగవచ్చును. ఈవేళ proceedings జరగడముకోసము చెప్పినాను."

Sri A. SUBRAMANIAM :—"நீங்கள் என்ன சொல்லுகிறீர்கள் என்பதே அர்த்தமாகவில்லை."

Mr. SPEAKER :—"This is not covered hy section 85. It is a new right independent of section 85."

Sri ADIMOOLAM JAMADAR :—"எனக்கு தெலுங்கும் தெரியாது, இங்கிலீஷும் தெரியாது, தமிழில் சொல்லவேண்டும். சரியாக தமிழ் பேசினால் தான் தெரியும்."

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[Thereupon Mr. Speaker explained in Tamil. Sri Adimoolam Jamadar said that he could not understand the Speaker's Tamil.]

MR. SPEAKER:—" After all I am speaking in my own way, and it is no wonder some members are not able to understand it, just as Mr. Langley cannot be understood by 200 members of the House; it is only scholars and professors in this House that can follow Mr. Langley's intonation and speech."

MR. W. K. M. LANGLEY:—" I don't know how my name has been drawn into the debate; I had not intended to take part in this debate. But may I suggest as a possible solution of these difficulties that the Hon. Minister for Education might conduct classes for members of this Assembly in the Hindi language, to which the European members may be specially invited to attend." (Laughter.)

SRI V. S. R. M. VALLIAPPA CHETTIYAR:—" Are the Government aware that the general public have very little confidence in the departmental inquiries which are conducted by the *immediate superior officers of the same department?* "

THE HON. SRI C. RAJAGOPALACHARIAR:—" It is possible, Sir, and I may even say, probable, that immediate persons concerned and immediate superior officers concerned may not command confidence in such inquiries. But facts have to be elicited, and the matter has to be sifted in each particular case, and it will be impossible to set up a separate tribunal for every petition of this kind; but the best effort is being made by Government to arrive at a just conclusion in all such inquiries."

SRI V. S. R. M. VALLIAPPA CHETTIYAR:—" May I ask Government whether they will consider the desirability of appointing independent judicial officers at least in such serious cases of corruption? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" I should quite be able to convince the hon. Member that his proposal is an impracticability. As a matter of fact, the whole system of judicial administration consists of such tribunals as he suggests. But apart from these inquiries, for all kinds of unofficial or semi-official complaints we cannot set up separate courts. But I would request the hon. Member to wait and watch all the further proceedings that are taken by Government in this connexion."

SRI G. RANGAYYA NAYUDU:—" When the Congress Government came into power, Government officials had a wholesome fear. Is the Hon. Premier aware that gradually that fear is disappearing and that corruption is slowly increasing? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" I do not agree at all with that statement."

SRI E. KANNAN:—" If according to the reply of the Hon. Premier that after the asumption of office by the present Government an enormous impetus has been given to the lodging of complaints against officials, may I know whether Government have tried to find out the reasons for that?"

THE HON. SRI C. RAJAGOPALACHARIAR:—" Either the hon. Member has already given notice of that question and he will get an answer in course of time, or he will give fresh notice of the question."

SRI S. NAGAPPA:—" Out of the several complaints so far, may I know how many are from the Kurnool district?"

THE HON. SRI C. RAJAGOPALACHARIAR:—" I am sorry I cannot say it straight-off."

SRI M. G. NATESA CHETTIYAR:—" May I know, Sir, whether this inclination of people to send complaints to Government as soon as this Government came into power is due to the inclination in favour of or hope in the present Government?"

THE HON. SRI C. RAJAGOPALACHARIAR:—" If I understand the question aright, it is the confidence in the present Government that justice will be done that perhaps has increased the number of complaints; but that by itself is no satisfaction."

SRI K. V. R. SWAMI:—" May I know whether any mahazars have been received?"

THE HON. SRI C. RAJAGOPALACHARIAR:—" Yes, some have been received."

Accident at the free show arranged at the Gaiety Theatre, Madras, in September last.

* 297 *Q.*—K. ABDUR RAHMAN KHAN SAHIB BAHADUR: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether it is a fact that the proprietors of the Gaiety Theatre, Madras, had arranged to give a free show during the third week of September;

(*b*) whether the police had sufficient notice of this fact;

(*c*) the number of constables and Police officers posted for bandobust at the said theatre; and

(*d*) the number of lives lost and persons injured on the said occasion?

THE HON. SRI C. RAJAGOPALACHARIAR:—" (*a*) & (*d*) The answer is in the affirmative. One woman met with her death and eighteen persons were injured.

" (*b*) & (*c*) On 18th September 1938 the United Artists Corporation in celebration of their anniversary, arranged with several cinema theatres in Madras to give a free exhibition

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at 8-30 a.m. on Sunday, the 18th September 1938. The management of all the theatres concerned, with the exception of the management of the Gaiety Theatre, intimated the intended free entertainment to the local divisional police concerned, and special police bandobust was arranged at all theatres to cope with a possible rush of would-be spectators.

"On the Saturday evening, the Manager of the Gaiety Theatre met the Chintadripet Division Inspector and mentioned to him casually that there was to be an extra morning show at the Gaiety Theatre and asked for the usual two constables to be deputed. On the Sunday morning a large crowd assembled and continued to grow, and as it was getting beyond the control of the two policemen on duty, the management telephoned to the Chintadripet station for some more police, who were immediately detailed. One Sergeant, two head constables and twenty constables were sent to the theatre in response to that requisition. They arrived at 8-20 a.m. In the meanwhile, however, some men climbed over the wall of the theatre compound and unbolted the gateway in Dam's Road, against which a considerable number of people, including women and children, were pressing. The compound lies some 1½ feet below the level of the roadway outside and is reached by two descending steps. The sudden and unauthorized opening of the gate resulted in the sudden influx of the waiting crowd, many of whom fell down the steps and were trampled on by those behind. On the way when she was being carried to hospital, the woman died from the injuries she received. I have given this long statement because it was a case of serious accident."

K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—"May I know what action Government have taken to prevent the recurrence of such accidents in future, and may I know whether anybody was punished?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"Such action as has been possible was taken; but it is difficult to find a law to punish such lapses."

K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—"May I suggest that the Government should take particular care to avoid such occurrences in future?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"It is a question of the duties we can impose on those who run these pictures, and it is not possible to anticipate such accidents beforehand. When a free show was given in so many places nothing happened; but here there was foolishness and so it happened."

SRI G. RANGAYYA NAYUDU:—"When an unusual crowd gathers, is it not the duty of the proprietor to take precautions to prevent such accidents?"

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THE HON. SRI C. RAJAGOPALACHARIAR:—"It is his duty, Sir, and that is why I gave the whole story; his lapse is there, but the law cannot be found to punish him for it."

SRI G. RANGAYYA NAYUDU:—"Was it not his duty to send invitations to several people to attend the free show instead of asking the crowd to come and enter the theatre without restriction?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"I agree with the hon. Member, but duties are of various kinds."

K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—"May I know whether Government have issued circulars to the proprietors of theatres that in future whenever free shows are to be given timely intimation of them should be given to the Police?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"Everything that should be done in that direction has been done."

K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—"I put a specific question and I want a definite answer to it. Has a warning been given that in future whenever a free show is to be given adequate notice of it should be given to the police?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"If a specific answer to a question put in that form is wanted, I say, it is not given."

SRI G. RANGAYYA NAYUDU:—"Has any compensation been given to the persons who sustained injuries?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"I do not think so."

K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—"May I know, Sir, is this not a case where a warning will be useful?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"A warning would be quite useful. But as the hon. Member insisted on a specific answer to a particular question, I said that we need not give such notice."

K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—"May I know whether Government will see that in cases of free shows in future such warning is given to the proprietors of theatres?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"That is right."

Action taken on the resolution of the Legislative Assembly recommending the substitution of the "distributive" for the "cumulative" system of voting.

* 298 *Q.*—SRI KALA VENKATA RAO: Will the Hon. the Prime Minister be pleased to state what action has been taken by the Government on a resolution passed by the Madras Legislative

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Assembly on 29th September 1937 requesting the Secretary of State to do away with the cumulative system of voting and substitute the distributive system of voting instead in the case of the general constituencies of the Madras Legislative Assembly in which seats are reserved for scheduled castes?

THE HON. SRI C. RAJAGOPALACHARIAR :—" The resolution of the Assembly was forwarded to the Secretary of State with the support of this Government. His orders have not yet been received."

SRI V. V. NARASIMHAM :—" Will the Hon. the Premier be pleased to remind the Secretary of State once again? "

THE HON. SRI C. RAJAGOPALACHARIAR :—" It is not usual to send reminders at such short intervals."

Proposals for the imposition of a tax on tobacco.

* 299 *Q.*—SRI B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether it is a fact that there is a proposal before the Government to levy tax on tobacco;

(*b*) what is the probable revenue expected thereby by Government;

(*c*) whether the Government have received any representations from the Tobacco Growers' Association and merchants in the Presidency protesting against the levy of tax on tobacco;

(*d*) whether it is a fact that a Bill was placed before the old Legislative Council by the then Government and it was dropped; and

(*e*) if so, why it was dropped?

THE HON. SRI C. RAJAGOPALACHARIAR :—" (*a*) The Government is considering the question of deriving revenue from the tobacco trade.

" (*b*) The proposals have not yet assumed a publishable shape.

" (*c*) The answer is in the affirmative.

" (*d*) & (*e*) A Bill was introduced in the Legislative Council in 1935, but it is understood that it was not proceeded with as it was proposed to undertake a comprehensive survey of provincial finances."

Alleged interference on the part of a Sub-Inspector of Police in the elections to the Panchayat Board, Arkonam.

* 300 *Q.*—SRI B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether it is a fact that the residents and voters of Anwardikanpet village, Arkonam taluk, sent in a mahazar to the District Superintendent of Police, North Arcot, complaining against the Sub-Inspector of Police for actively taking part in the recent elections to the panchayat board;

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(b) whether it is a fact that the District Superintendent of Police, North Arcot district, rejected the petition saying that the allegations were reported to be false; and

(c) whether the allegations were enquired into by the District Superintendent of Police in person and if not, why not?

THE HON. SRI C. RAJAGOPALACHARIAR:—" (a) The answer is in the affirmative.

" (b) The District Superintendent of Police caused enquiries to be made into the allegations, and he was satisfied that they were not true.

" (c) The District Superintendent of Police did not enquire into the allegations in person, but adopted a procedure suitable to the case."

K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—" May I know, Sir, if the sub-inspector and the mahazardars were present at the enquiry? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" I cannot tell exactly."

Delay in furnishing information regarding the property owned by the members of co-operative societies by the village karnams.

* 301 Q.—SRI V. C. PALANISWAMI GOUNDER: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether any reports have been made to Government about the inordinate delay in furnishing the required valuation of property list with S.F. Nos. of a member of a co-operative society by the karnam of the village;

(b) whether it is a fact that the Co-operative Society No. 1189 of Mangalakarai Pudur of Karamadai firka of Avanashi taluk, applied for such a property list of its members on the 9th June 1937 to the department concerned;

(c) whether it is also a fact that in spite of the order No. L. Dis. 5801/37, dated the 13th November 1937, on the matter from the Tahsildar of Avanashi to the karnam of Karamadai the required list was not furnished till the 24th July 1938; and

(d) whether the Government propose to take any steps to prevent such delays in future?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—" (a) The Mangalakarai Pudur Co-operative Credit Society, Coimbatore district, has, in a resolution, dated 12th July 1938, brought to the notice of the Government the specific case of delay referred to in clauses (b) and (c) of the question.

" (b) & (c) The answer is in the affirmative.

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" (*d*) The karnam in question has been fined by the Revenue Divisional Officer. Under existing orders, village officers are required to supply the secretaries of co-operative societies with information concerning the survey numbers and other details of the property of the members of societies. It is open to the society concerned to bring to the notice of the Revenue officers any delay or neglect on the part of the village officers in regard to this matter. The solitary case which has come to the notice of the Government does not call for the issue of any general instructions on the subject."

SRI V. C. PALANISWAMI GOUNDER:—" May I know whether any decided action was taken against that officer?"

SRI T. VISWANATHAM:—" I have submitted, Sir, that the karnam was fined."

Progress of the deliberations of the Madras Estates Land Act Committee.

* 302 *Q.*—SRI M. DORAIKANNU: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether the Madras Estates Land Act Committee has finished its work; and

(*b*) when the Estates Land Act Amending Bill is likely to be introduced?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—" (*a*) & (*b*) The report of the Estates Land Act Committee has been presented to the Assembly and as the hon. Member is aware 20th January 1939 has been fixed for the debate for considering the Report and the introduction of the Bill will depend upon the decision of the House then."

Alleged irregular receipt of supplies by the Revenue Divisional Officer, Ariyalur.

* 303 *Q.*—SRI B. VENKATACHALAM PILLAI: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether it is a fact that circular orders have been issued to the officials not to receive supplies and to the village officers not to offer supplies to them; and

(*b*) if so, whether the Revenue Divisional Officer, Ariyalur, strictly follows the rule; if not, why the Government have not taken any action against the Revenue Divisional Officer, Ariyalur?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—" (*a*) Board's Standing Order No. 113 forbids officers on tour to receive and subordinate officers to offer supplies without payment.

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" (b) In the absence of evidence to the contrary, the Government must assume that their orders are being followed by the officers concerned."

Levy and reduction of water-rate in East Godavari.

* 304 *Q.*—Sri KALA VENKATA RAO: Will the Hon. the Minister for Revenue be pleased to state—

(a) the total extent of land in the district of East Godavari on which a water-rate fixed at Rs. 6–4–0 per acre is leviable according to the last settlement;

(b) the total amount that is leviable in the said district under the above rate alone;

(c) the amount by which the Government reduced the said rate during last fasli; and

(d) what the total amount involved by such reduction was?

Sri T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—" (a) & (b) The Government have no information.

" (c) & (d) The water-rate of Rs. 6–4–0 per acre was reduced to Rs. 5–12–0 during the last fasli (fasli 1347) as part of the general land revenue concessions. The Government have no information as to the total amount involved by such reduction."

Sri KALA VENKATA RAO:—" Will the Government be pleased to call for the information? "

Sri T. VISWANATHAM:—" If the hon. Member is particular about the figures, he will be supplied with the information."

Water-rate in the Polavaram Island Project area.

* 305 *Q.*—Sri KALA VENKATA RAO: Will the Hon. the Minister for Revenue be pleased to state—

(a) the water-rate leviable in the Polavaram Island Project area;

(b) the water-rate that was imposed on first and second crops during the last fasli;

(c) the total area that was irrigated under first and second crops separately during the last fasli; and

(d) the amount of water-tax collected under first and second crops during the last fasli?

Sri T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—" (a) & (b) The attention of the hon. Member is invited to the rules for the levy of water-cess under the project at page 137 of Board's Standing

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Order, Volume I, and to G.O. No. 2601, Revenue, dated the 21st December 1937, which has been placed at the disposal of the Press.

" (c) & (d) The figures have not yet been reported to Government."

Provision of equal opportunities for tenders from European countries and America for supply of materials for the Papanasam Hydro-electric Project.

* 306 *Q.*—SRI K. R. KARANT: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) what the estimated cost is of the proposed Papanasam project;

(*b*) how much out of this will go for the purchase of materials from outside India and under what main heads;

(*c*) what steps are going to be taken to see that the electrical manufacturers in America, Germany and other countries of Europe get equal opportunities with Great Britain in offering tenders for the supply of such materials required for the project;

(*d*) whether it is a fact that in inviting tenders in the past the Electrical Department has insisted upon only the British specifications;

(*e*) whether the same method is going to be adopted for this project also; and

(*f*) why continental and other Non-British tenderers are thus virtually to be prevented from competing?

THE HON. MR. YAKUB HASAN:—" (*a*) The estimated cost of the Papanasam Hydro-Thermal Electric Project is Rs. 179 lakhs initially rising to Rs. 258·17 lakhs within ten years from the commencement of operation.

" (*b*) Out of the initial cost of Rs. 179 lakhs, materials to the value of about Rs. 40·66 lakhs are likely to be purchased from places outside India. Of this sum of Rs. 40·66 lakhs, materials for civil works and power station will cost Rs. 23·32 lakhs, transmission line equipment, Rs. 9·79 lakhs and sub-station equipment, Rs. 7·55 lakhs.

" (*c*) Tenders will be invited by means of advertisements in London, Continental and American papers and under the *existing rules for the purchase of stores required for the* public service the procedure known as the 'open tender' system affords adequate opportunities to non-British manufacturers to offer their materials.

" (*d*) The answer is in the affirmative.

" (*e*) Some standard specifications are necessary for every description of materials and British standard specifications are adopted because they are the most comprehensive and suitable to the departmental requirements.

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" (*f*) Non-British tenderers are not prevented from competing by specifying British standards. As a matter of fact the penstock pipes for the Pykara installation were obtained from Germany and Poland and the water wheels for the Pykara installation were obtained from Switzerland. Much of the electrical equipment of the department has been obtained from Belgium and United States of America."

SRI K. R. KARANT:—" With reference to clause (*b*) may I know whether it is with reference to the total cost or the initial cost and if so, what proportion of the former is coming from outside India? "

THE HON. MR. YAKUB HASAN:—" We are now concerned with the initial cost. When the works develop, further materials will be required."

SRI K. R. KARANT:—" With reference to clause (*c*) may I know, Sir, whether the Government have any proposals to supply raw produce such as cotton or coffee in exchange for electrical goods so that the producer of this Province may have some benefit? "

THE HON. MR. YAKUB HASAN:—" I presume the hon. Member refers to the barter system between two countries. For some time that was the case; with Germany which was not able to pay cash, the barter arrangement was fixed. I think this kind of exchange is not at all possible."

SRI K. R. KARANT:—" May I know whether Government have considered this aspect and rejected it on the ground stated now? "

THE HON. MR. YAKUB HASAN:—" The Government have not considered it because such a thing could never be thought of."

Protest against the sale of the electric transmission line from Erode to Salem to a private concern.

* 307 *Q.*—SRI K. R. KARANT: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether Government have decided to sell the electric transmission line from Erode to Salem to a private concern;

(*b*) if so, when this decision was taken and for what reasons;

(*c*) (i) for what price the sale is to take place;

(ii) what the original cost of the line was; and

(iii) when it was put up;

(*d*) whether the municipal councils of Erode and Salem have been consulted about the matter; if not, why not; and

(*e*) whether Government have received any and what protests against the sale?

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THE HON. MR. YAKUB HASAN :—" (a) There was a proposal before Government for the sale of the line to the company. It was considered and dropped.

" (b) *to* (e) Do not arise."

Suspension of passenger traffic in the ports of Point Calimere and Topputurai.

* 308 *Q.*—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether passenger traffic is allowed through these two ports (Point Calimere and Topputurai);

(b) if not, when this passenger traffic was stopped and why;

(c) whether the Government are aware of the fact that passengers of these parts who intend to go to Ceylon have to suffer a great deal by high expense and roundabout long journey, etc.; and

(d) what steps the Government propose to take to remedy these difficulties?

THE HON. MR. YAKUB HASAN :—" (a) No.

" (b) In 1908, owing to the quarantine restrictions of the Ceylon Government.

" (c) The Government are not aware that there is any suffering, but they received a representation recently urging that all ports in the Tanjore district might be opened for foreign trade and travel.

" (d) The Government have suggested to the Central Government that Point Calimere might be opened for foreign trade and travel, and that the Mayavaram-Point Calimere Railway route might be made the main Indo-Ceylon route, the ferry service between Dhanushkodi and Talaimannar being transferred to one between Point Calimere and any of the ports in the northern province of Ceylon. The Government have added that they would then be prepared to improve port facilities at Point Calimere. The Central Government's reply is awaited."

Retrenchment in the personnel of the Public Works Establishment.

* 309 *Q.*—SRI G. KRISHNA RAO: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether this Government are considering the question of giving effect to the proposals for retrenchment of Rs. 5·35 lakhs to be effected in the establishment of the Department of Public Works, referred to in paragraph 110 of the Report of the Public Works Establishment Committee;

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(b) whether this Government are considering the question of giving effect to the recommendations of the Madras Public Works Establishment Committee, 1932-33, whereby an additional saving of Rs. 2·20 lakhs was likely to be effected in the expenditure on account of the department;

(c) what the ratio of expenditure to capital outlay on works from 1931-32 to 1936-37 (on amounts actually spent on works) is;

(d) whether since taking office the Government have formulated any scheme of retrenchment or whether they propose to do so in the interest of economy in the department; and

(e) whether they have under consideration any effective plan of saving expenditure with regard to the highly paid supervisory staff known as Superior Officers?

THE HON. MR. YAKUB HASAN :—" (a) The amount of Rs. 5·35 lakhs refers to reduction already ordered independent of the Public Works Establishment Committee.

" (b) Of the 12 items of retrenchment suggested by the Public Works Establishment Committee Government accepted four items resulting in a saving of Rs. 1,95,700 per annum. Five items were not found acceptable, and three are awaiting completion of certain irrigation programmes.

" (c) The percentages of establishment charges to works outlay are given below :—

	PER CENT.
1931–32	22·38
1932–33	30· 7
1933–34	27·96
1934–35	28·53
1935–36	34·48
1936–37	2[illegible]·8

" (d) The feasibility of abolishing the temporary Bellary circle, Central Presidency division and the Ramnad division was examined in consultation with the Chief Engineer and it was decided to continue the Bellary circle till famine works are stopped and the other two divisions till the end of March 1939. In the meanwhile the question of redistributing the existing divisions in all the seven circles into six circles charges is under consideration.

" (e) There is no such proposal under consideration at present."

SRI G. KRISHNA RAO :—" May I know, Sir, as the adoption of a principle is necessary regarding the ratio of expenditure to capital works, whether Government will think of the feasibility of fixing the ratio? "

THE HON. MR. YAKUB HASAN :—" It is impossible to fix any ratio."

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SRI G. KRISHNA RAO:—" Are the Government aware that owing to the large temporary establishment which is being kept by the Government and the small amount actually spent on the work, the ratio of expenditure is out of all proportion to the works, and some ratio must be fixed? That is my idea."

MR. SPEAKER:—" That is the idea contained in the question."

THE HON. MR. YAKUB HASAN:—" The value of work is always changing and so the ratio of the establishment charges will vary. Sometimes it happens the volume of work done is large and the ratio is small. So we are trying to keep the ratio as low as possible but without fixing it. We are trying to keep it as low as possible."

Provision of radio sets in the villages in Malabar.

* 310 *Q.*—SRI P. MADHAVAN: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether the Government propose to distribute radio sets to the villages in Malabar this year; and

(*b*) if so, when and to which villages?

THE HON. MR. YAKUB HASAN:—" (*a*) & (*b*) The matter is under the consideration of Government."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—" May I ask the Hon. Minister whether the Government are going to give one set to South Kanara? "

THE HON. MR. YAKUB HASAN:—" Notice."

Number of schools in Malabar and South Kanara teaching Hindustani.

* 311 *Q.*—KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) in how many high schools in the Presidency the Government have introduced the compulsory teaching of Hindustani;

(*b*) how many of them are in South Kanara and Malabar, respectively and which they are; and

(*c*) whether the Government have given instructions to the authorities of the schools to make arrangements to teach Hindustani in the Arabic script also wherever there is demand for such facilities?

THE HON. DR. P. SUBBARAYAN:—" (*a*) & (*b*) The hon. Member is referred to the list [a] placed on the table of the House.

[a] Printed as appendix on pages 375–377 infra.

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"(c) Instructions have been issued to the effect that pupils may exercise the option to use either the Arabic or the Nagari script."

K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—"May I know the methods adopted by the Government to find out from the students what script they are willing to learn?"

THE HON. DR. P. SUBBARAYAN:—"There is no question of asking the students as to what they want to use. But, if they say that they want a particular script, it will be attended to."

K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—"May I know, Sir, if, the Government expect the students in the first, second and third forms to be able to use their discretion in the selection of the script."

THE HON. DR. P. SUBBARAYAN:—"I am sure their parents know their interests and if they express their option it will be attended to."

K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—"May I know whether the parents are consulted in regard to this matter?"

THE HON. DR. P. SUBBARAYAN:—"There is no question of consulting the parents. The parents know their interests."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"May I know whether the Government are going to give facilities for the study of the Hindustani and Persian scripts?"

THE HON. DR. P. SUBBARAYAN:—"Yes, Sir."

SRI G. RANGAYYA NAYUDU:—"May I know whether Arabic munshis are appointed to all the high schools in the Province?"

THE HON. DR. P. SUBBARAYAN:—"I should like the hon. Member to put down a separate question."

H. S. HUSSAIN SAHIB BAHADUR:—"How many of the teachers employed to teach Hindustani in South Kanara know the Urdu script?"

THE HON. DR. P. SUBBARAYAN:—"I think this is also a matter for a fresh question."

H. S. HUSSAIN SAHIB BAHADUR:—"Does the Hon. Minister know the number of Muslim students reading in the first, second and third forms in the high schools at Karkala."

THE HON. DR. P. SUBBARAYAN:—"I think this is again a matter for a separate question. It has not been raised in this question. I have not the information which the hon. Member wants."

* 312–338 *Qs.*—[Omitted.]

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[*Note*.—**An asterisk (*) at the commencement of a speech indicates revision by the Member.**]

II.—THE MALABAR TEMPLE ENTRY BILL, 1938.

* THE HON. SRI C. RAJAGOPALACHARIAR:—" Mr. Speaker, I beg to introduce the Bill [a] to remove the disabilities of certain classes of Hindus in regard to entry into temples in the district of Malabar. It has been duly published and circulated to hon. Members. I move

'*that the Bill be referred to a Select Committee and that the Select Committee be instructed to submit its Report before the 5th December* 1938.' "

* SRI T. T. KRISHNAMACHARIAR:—" I rise to a point of order.

* THE HON. SRI C. RAJAGOPALACHARIAR:—" One minute please. I will close now. The names of the members of the Select Committee, with your permission, I shall give at a later stage, because it seems that there is going to be a discussion on this."

* SRI T. T. KRISHNAMACHARIAR:—" I rise to a point of order. I hold that this . . ."

MR. SPEAKER:—" You hold? "

* SRI T. T. KRISHNAMACHARIAR:—" Sir, my opinion is that this Legislature is not competent, as the law stands at present, to deal with the subject-matter of the Bill that is before us now."

MR. SPEAKER:—" You are of opinion? You may merely indicate your opinion to the House and sit down."

* SRI T. T. KRISHNAMACHARIAR:—" I rise to a point of order, Sir."

MR. SPEAKER:—" You have never said that it is a point of order."

* SRI T. T. KRISHNAMACHARIAR:—" I rise to a point of order. May I explain my point of order, Sir? "

MR. SPEAKER:—" Please state your point of order."

* SRI T. T. KRISHNAMACHARIAR:—" I will repeat what I said. The law as it stands at present, in my opinion, does not enable the House to go on with the subject-matter of the Bill that has been moved by the Hon. the Leader of the House."

MR. SPEAKER:—" Why? "

* SRI T. T. KRISHNAMACHARIAR:—" Because the subject-matter of this Bill relates to religious institutions. We find no mention of the words ' religious institution ' in lists 2 and 3 of Schedule VII to the Government of India Act which fixes the range of the subjects with which this Legislature can deal."

MR. SPEAKER:—" That is the objection? "

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[a] Published in the *Fort St. George Gazette*, dated 30th August 1938.

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* SRI T. T. KRISHNAMACHARIAR:—" Yes, Sir. Lists 1 and 2 do not contain the subject 'religious institutions.' Hence this Legislature cannot deal with the subject-matter of this Bill."

MR. SPEAKER:—" You want a definite ruling upon that?"

* SRI T. T. KRISHNAMACHARIAR:—" With your permission, may I explain the position, further?"

MR. SPEAKER:—" You may give your full explanation before you sit down."

* SRI T. T. KRISHNAMACHARIAR:—" It may be, Sir, that there is one item (No. 34) in list 2 which reads 'charities and charitable institutions, and charitable and religious endowments.' That is the item that is nearest in approach to the subject-matter of the Bill before us. It is my view that religious institutions cannot be religious endowments, nor can religious institutions be charitable institutions. The distinction between religious institutions and charitable institutions is well known to lawyers who know the Indian and the Hindu Law. I do not think there is any necessity for a lay man like myself to explain this point further. The only question is whether religious institutions and religious endowments can be one and the same. The very fact that charitable institutions have been definitely mentioned and the fact that there is no mention of 'religious institution,' imply that there has been an omission, probably a deliberate omission, and, as such, we are not competent to deal with the subject-matter of this Bill.

" It may be, Sir, that the usual circumstances attaching to raising a point of order do not obtain in this case for the reason that the defect is easily remedied. It may be, as there is no mention of the words 'religious institutions' made in list 1, the residual power clause can be resorted to, and the Governor-General may be approached to deal with the matter and allot the subject to one or other of the lists under section 104 of the Government of India Act. But, as the law stands at present, we cannot deal further with the subject-matter of this Bill."

* SRI R. M. PALAT:—" May I say a word, Sir?"

MR. SPEAKER:—" Not necessary.

" This question was considered by the Joint Committee on Indian Constitutional Reforms. In paragraph 141, they say:—

'We do not think that the consent of the Governor should any longer be required to the introduction of legislation which affects religion or religious rites and usages. We take this view, not because we think that in practice the necessity for such consent might prejudice attempts to promote valuable social reforms, which has been suggested as a reason for dispensing with it, but because in our judgment legislation of this kind is above all other such as ought to be introduced on the responsibility of *Indian Ministers*. We have given our reasons elsewhere for holding that matters of social reform which may touch, directly or indirectly, Indian religious beliefs can best be undertaken with prospect of success by Indian Ministers themselves; and, that being so, we think it undesirable that their responsibility in this most important field should be shared with a Governor. It has been represented to us that the removal of the safeguard of the Governor's

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previous sanction may operate to the disadvantage of small minorities such as the Indian Christians who would not be in a position to make effective their objections to legislation which they regarded as prejudicial. But we do not think that the recommendation we have just made is, in fact, open to this criticism.

. . .'

In this long note they have held that the Ministers must take up the responsibility of legislation with regard to social reform and religious usages. The absence in the Government of India Act of any restriction in this respect is a deliberate omission giving that power to the Government concerned.

"The Hon. the Prime Minister may proceed with the measure."

* RAO BAHADUR SIR A. T. PANNIR SELVAM:—"Mr. Speaker, I rise to another point of order. This is based on rule 56 of the rules governing the procedure of this House; that is on the ground that this Bill is substantially identical with a matter which was considered at the last meeting of this Assembly. As that meeting was within this session, rule 56 precludes the House from considering this question at this meeting. Rule 56 says:—

'A motion must not raise a question substantially identical with one on which the Assembly has given a decision in the same session.

'*Explanation.*—The Assembly shall not be deemed to have given a decision in respect of a Bill unless it has either passed the Bill into law or has rejected the Bill.'

On the last occasion, in this Assembly, my hon. Friend, the representative of the Scheduled Castes from Chingleput, introduced a Bill almost on all fours with this Bill, except for this that this Bill is limited to Malabar, while his Bill was intended to cover the whole of the Province. The whole of the Province includes Malabar, and therefore that Bill had reference also to Malabar. The question of Malabar having therefore been before this House, and the House having rejected the Bill moved by him, it seems to me, that it is not open to us in the same session to consider the present Bill. Mr. Rajah's Bill had reference to Malabar also, and this Bill has reference to Malabar alone. There is one other variation in the Bill, and that is regarding the constitution of the electorate whose decision is to enable the trustees to open the temples to the excluded classes. I would submit that these differences are of minor consequence. The question itself is substantially identical with what was already considered and rejected by this House."

MR. SPEAKER:—"Was not a statement made, when this matter was being discussed on the floor of this House, and when leave was refused for introducing a Bill applicable to the whole of the Presidency, that the Malabar Temple Entry Bill would be introduced, at the earliest possible date in the same session?" 4- P.

* RAO BAHADUR SIR A. T. PANNIR SELVAM:—"That might have been made in the course of the discussion. But the rule says: 'A motion must not raise a question substantially identical with

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one on which the Assembly has given a decision in the same session.' My submission is we are incompetent to deal with this motion in the same session."

MR. SPEAKER:—"Was it not the intention of the Government to introduce the Malabar Temple Entry Bill at a very early date in the same session, and a definite assurance given that the Malabar Temple Entry Bill would be introduced in this session?"

* RAO BAHADUR SIR A. T. PANNIR SELVAM:—"Arguments may be used during the course of the debate by any one member of the House, even if that member be the Premier, but it is nothing more than an argument advanced in the course of the debate. And it cannot be said that a decision was arrived at on these proposals. The decision is there. The decision was that the question of the entry of excluded castes into the Hindu temples of the Presidency, which includes the temples of Malabar also, would not be considered. That was the decision that was arrived at. It is only the decision that was arrived at that should be taken into account, and not the arguments which were advanced or the reasons which influenced the members to come to that decision."

MR. SPEAKER:—"What does the Hon. Prime Minister say?"

* THE HON. SRI C. RAJAGOPALACHARIAR:—"I submit, Sir, that the word 'substantially' should be understood in a reasonable and proper sense. The rule referred to, which is a copy of the Parliamentary procedure in this respect, is that a motion must not raise a question substantially identical with the one that was raised on a previous occasion and on which a decision had been given. Now the decision that was come to as well as the question that had been raised, was not whether a Bill in this restricted form should be accepted or not. The substantial question then in dispute was, whether the Government should accept a motion for leave to introduce a Bill for the whole Presidency for allowing the people belonging to the excluded castes to enter into Hindu temples; and not whether the Government should accept the Bill in this restricted form or not. And the House gave its opinion on that basis. Otherwise the result would be this: that the House for any reason whatsoever would become incompetent to carry out its own wishes. If the House had deliberately thrown out a wider Bill, it was on the very ground that a Bill with a smaller scope would be introduced, and the decision was come to on that basis."

MR. SPEAKER:—"The contention is that the larger Bill includes the smaller Bill now under reference."

* THE HON. SRI C. RAJAGOPALACHARIAR:—"It looks apparently that the larger includes tbe smaller, but it does not. When the larger Bill was rejected, it was rejected on the ground that it was not smaller. That is the point."

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MR. SPEAKER:—" The point is really a simple point, though it is apparently difficult. The Legislature discussed the question of granting leave to Mr. M. C. Rajah's Bill at great length when it was introduced, and the Hon. Minister opposing the grant of leave said:—

> 'The Government have decided to introduce a measure for Malabar. The measure of Travancore carried forward to the British area in Kerala very rightly will be a Government measure and it will be a measure on these same lines because they are the lines which all have examined and found to be the best. We are going to introduce a measure which, we do hope, will come for consideration in November. We do propose to introduce a measure for opening the temples of Malabar if the people of Malabar want it and will allow it. We are sure, almost sure, that it will be received enthusiastically in Malabar, etc., etc., etc.'

So it is clear that the House refused leave for the bigger Bill on the distinct understanding that the Malabar Temple Entry Bill would be introduced. The argument that the larger Bill includes the smaller one does not stand. Leave was refused for the introduction of the larger Bill on the distinct understanding that a smaller Bill would be taken up on the 1st of November. That clearly shows that the two are not *identical*. What is contemplated under the rule is that the two must be *substantially identical*. This is not substantially identical with the previous one; this is different. Hon. Members will clearly see that the present Malabar Temple Entry Bill is not substantially identical with the Temple Entry Bill pertaining to the whole of the Presidency. I, therefore, allow the motion."

*THE HON. SRI C. RAJAGOPALACHARIAR:—" Sir, I was just saying, before the points of order were raised, that the Bill might be referred to a Select Committee and that the names of the members of the Committee, I might give at a later stage. Sir, the subject-matter of the Bill is familiar to everybody and every one knows the growing volume of opinion for the removal of disabilities of certain classes of Hindus in respect of entry into the temples for worship along with other classes of Hindus. These excluded classes suffer from a great many social disabilities besides the exclusion of entry into temples. These other disabilities have been dealt with both administratively and in the Legislature. In this House we have passed a law for certain civil disabilities being removed, and to prevent discrimination being made against any person on the ground that such person belongs to the so-called untouchable class.

" The entry into public temples is all-important in raising the status of the so-called untouchables; and for some years past, during our time, we have been concentrating our attention on this aspect of the reform. I say *during our time*, because even in ancient times this subject stirred the hearts of people, as we know very well from the well known and popular traditions about the saints Nanda and Tiruppanalwar. During the last six years,

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people have been directing their attention to this particular aspect of untouchability. On the 25th September 1932, a resolution was passed at an important conference of Hindus in Bombay to the effect that Hindu leaders should take steps through legitimate and peaceful means to secure the removal of the social disabilities imposed on the so-called untouchable classes, including the bar of admission into Hindu temples. Nothing will impress the Hindu mass mind including the Harijans more than the throwing open of public temples will do. I am not referring to the cultured men among the Harijans, but to the uncultured men. On the 1st November 1932, my Hon. Colleague Dr. Subbarayan moved in the Madras Legislative Council, and it adopted a resolution without any dissentient voice that the Government should bring forward legislation to remove the difficulties experienced by the trustees of temples in regard to the opening of the temples in their charge to Harijans. On the 1st December 1932, Dr. Subbarayan presented a Bill to the then Madras Government, providing for the admission of Harijans into all temples, but on similar lines I have introduced this measure on behalf of the Government. But Dr. Subbarayan's Bill, for reasons into which I need not go at present, did not become law.

"The House is aware of what happened with reference to Mr. M. C. Rajah's Bill which was introduced on the same lines as Dr. Subbarayan's Bill I referred to above. The House is also well aware—I need not waste the time of the House by going into details—of the reasons why the Government opposed Mr. M. C. Rajah's Bill, and the reasons why the present Bill is introduced. We discussed this almost more fully than I intend doing at this stage of the discussion. The reason for this particular form of Bill, and why it should be restricted to a particular district, have been stated in the Statement of Objects and Reasons. A reference to Travancore and the fact that a successful execution of this reform has been witnessed in one part of the Kerala country, is the basis on which we claim that it would be a successful plan to introduce this change in this restricted area of Malabar so far as our Province is concerned.

"I shall now deal with the principles of the Bill in other respects. The first point that I wish to emphasize is, that while on the one hand, entry into temples may be looked upon as an extreme step in the scale of uplift, from another point of view, it is probably the first step. There are many distinctions in Hindu society, carefully preserved and obstinately maintained against any alteration, but the Hindu temples are places of free and equal association of all sections and denominations of caste Hindus in the worship of the common deity through the various forms of Hindu worship. All are treated practically on equal terms, but only these Harijans are excluded and are kept outside the walls of the temples. Orthodoxy permits entry into the temples of all the caste Hindus with their numerous castes, with

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their differences in customs, diet, manners and standards of cleanliness. What the reformers want is that this tolerance should also be shown to the Harijans. In this respect, the disability imposed upon the Harijans in regard to temple entry is different from the other disabilities they suffer from. The distinctions in regard to social equality with reference to the various castes and communities, sub-castes and sub-communities are carefully and obstinately maintained; but these very classes are allowed on fairly equal terms entry into the innermost places of the temples. That is the reason why I said that from one point of view it can reasonably be urged that temple entry might be the first step in the uplift of the Depressed Classes, and not the last step.

" It has often been pointed out by jurists that British courts and British law, by enforcing the usages and customs of the Hindus, prevented the natural growth and evolution of these very customs and usages. The intention of guaranteeing to all communities these observances, has resulted in the petrifaction of these institutions and customs. The rigour with which civil and criminal laws have been enforced and the rigour with which neutrality has been maintained, have made reforms impossible. Any infringement of customs has been penalized and wholly prevented. It is not commonly realized by those who raise objections to measures of this kind, that the practice of untouchability has actually been enforced with the help of British law and British courts, in the shape of crystallizing the legal rights of the parties affected. Institutions and individuals are responsible for the segregation of the Harijans, and their social disabilities are enforced only by custom. If custom had been left to itself without the rigour of well-enforced law, I claim that these customs would have broken down and these customs could have been altered. Not only have trustees been prevented under section 40 of the Madras Hindu Religious Endowments Act from making or permitting any change, even where local opinion may be in favour of the entry of members of the excluded classes into Hindu temples, but it has been, by judicial decisions, made punishable as defilement according to the Indian Penal Code. If courts, modern courts, had not thus given positive support to the enforcement of old usages, custom would have gone forward and adopted many changes. Orthodoxy —let me point out in anticipation of the debate that might arise— has enjoyed the assistance of the State in the enforcement of customs and usages on unwilling and willing individuals. The principle underlying and justifying such coercion is the implied consent of the majority to the custom or the usage. When that implied consent is expressly withdrawn by the majority of the people, or what amounts to the same thing, a demand is made by the majority of the people at any time to alter that custom, it would be wrong for the State to continue its assistance by the enforcement of the old custom. The people concerned have the inherent right to change their views, to alter their lives and modify

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their customs. To block the exercise of this inherent right, is not non-interference, but the most serious form of interference. Legislation abolishing *sati* was passed in spite of strenuous objections. At the time the law to permit widow marriages was passed, it was objected to, because the possibilities of permissive law affected the property rights including joint-family property rights, in spite of cessation from caste or apostasy from religion.

" Specific laws regarding religious customs were passed from time to time including the one we are now working under, in spite of vehement objection. Under the present measure, or under the proposed measure, this interference on the part of the State to suppress—as I would put it—the views of the majority of the people is sought to be removed. The legislation is permissive; it enables throwing open of a temple to the excluded castes if the opinion of the majority of the worshippers, of the present worshippers, is found to be in favour of such a step. Popular assent has been made a condition precedent at every step. The details of procedure, I need not go into now. Objections that may be taken to a proposal seeking to carry out a reform of this nature, cannot apply to a Bill that makes popular assent a condition precedent for every step that is to be taken. Social segregation which is sought to be removed through this measure does not stand by itself. Those who know and understand what I mean, those who have experience of what I mean, would agree with me when I say that it affords an opportunity for implementing our economic freedom at every turn in life. It would be disastrous to the people of the Hindu community if all the ancient temples have to be declared and maintained as the property of a minority denomination, and if the worship conducted in them should not be available to Hindus as a whole, even when the majority of the present worshippers require it to be so made available. History points, Sir—if I have read history aright—to the re-conversion of Buddhists and Jains in our part of the country. Re-converted Hindus were all permitted entry into the temples and are now enjoying it. Who knows what the castes of these people were; while they were Buddhists or Jains they did not observe the caste system. In the case of a large number of the temples, again, there is the periodical admission even now of the Harijans. Whatever may be the view taken, the welfare of society as a whole demands the emancipation of these excluded classes. The right of the people to legislate in the interest and welfare of the community cannot be blocked by any narrow interpretation of property rights or the Law of Trusts and Endowments.

" Points of order were raised, but I may say that in the course of the debate, at a later stage, the question will be raised that this would be an infringement of the intention of the original trusts and the religion of the people, and so on. That is why I am referring to these points.

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" To run institutions which have become useless as a result of changing times is, I submit, really to defeat the intention of the founders. The founders, if they were now present and had control, would certainly agree with the principle of the proposed measure.

" This principle of the change of ancient institutions came to be viewed in a different country in connexion with educational institutions in England. The Statutory Commission recorded it as their opinion that it should be clearly laid down as a principle that the power to create permanent institutions should be recognized by the State only on the definite condition that they should be subject to such modifications as every succeeding generation shall find requisite. Parliament fundamentally changed the scope of the Universities of Oxford and Cambridge on the cardinal significance of this principle; and to-day we see there institutions altogether different from what the original founders had opened and started. These centres have awakened people from their dreams of the Middle Ages, and have been adjusted to the needs of modern society. I am referring to this not as a precedent for a change in regard to our temples, but to meet the strenuous opposition that some people have been urging on the principles based upon the doctrine of secular trusts and property rights— arguments which should never be pressed when the souls of thousands of our fellow-countrymen are involved in the matter.

" In December 1932, a whole taluk like Guruvayur was taken, an area of 430 square miles was surveyed, and all the adult men and women entitled under existing practice to enter temples, were approached to record their opinion and sign their names in hooks prepared for the purpose, in which full particulars of voters were also entered. Seventy-three per cent of the total number of adult persons who were entitled under the existing practice to enter the temples, voted. A referendum was held in an unofficial form; volunteers were deputed to enter houses and demand information; it was finished in 22 days without any hitch or disturbance. Out of 20,167 votes recorded, 10,472 voters were women. The results were that 8 per cent were against the reform, 9 per cent recorded neutrality and 56 per cent voted in favour of the reform making up a total of 73 per cent, as I have already mentioned.

" The scheme of this Bill, therefore, is to bring the temples in conformity with true opinion in favour of the reform, of which I gave an example. The scheme of the Bill is briefly that the legislation proposed is permissive in character. It enables the throwing open of any temple to excluded castes, if the opinion of the majority of Hindu voters in the revenue taluk in which the temple is situated, is in favour of allowing such entry. Such opinion may be presumed to be indicative of Hindu opinion throughout the country. Trustees are empowered with the previous approval of the Hindu Religious Endowments Board to make

regulations for the maintenance of order and cleanliness in temples, and for the due observance of religious rites and ceremonies therein. Power is taken to make rules as to the manner in which the opinion of the voters should be ascertained, and other matters of detail necessary for giving effect to the provisions of the Bill. If the House resolves to take the Bill into consideration and the Select Committee is appointed, further details will be considered by that Committee.

-45 p.m. "I have explained the general principles of the Bill, Sir, and I submit to the House that it is time that we should take up this matter. I have already spoken on a previous occasion as to why the Bill is restricted to Malabar. The discussion was so warm—it might be stated that it was heated—over the simple issue whether it should be a Bill covering the whole Presidency or only a particular district; so much so that perhaps now it may even seem unnecessary for me to go into the merits of the principles for which this Bill has been moved. But we should not imagine that the latest issue is the only issue involved. I do hope that the issue of the general principles is so clearly decided in the minds of men that they may not even advert to it, and that the only point to be considered now is whether this restricted Bill is worth trying. It is no doubt true,—and we need not go back into what we discussed before—that this Bill by itself is not going to open the temples. This Bill can open the temples only if the people are approached and the majority of the people express their opinion clearly in favour of opening the temples to the excluded classes, and we secure the willing and co-operative consent of the people—I can almost say, the enthusiastic consent of the people. It is only then that the temples will be opened in the manner in which we want them to be opened, viz., not for the exercise of a right but for joint worship, so that the nation may be one and indivisible."

* SRI R. M. PALAT:—"Sir, I have got a mandate from my constituency to oppose this Bill. By my constituency, I mean a large and important section of the Hindu voters of my constituency, so that whatever I may say may be taken . . ."

MR. SPEAKER:—"I shall first put the question and then the hon. Member may speak.

"The question is, that the Malabar Temple Entry Bill, 1938, be referred to a Select Committee and that the Select Committee be instructed to submit its Report before the 5th December 1938."

* SRI R. M. PALAT:—"To continue, Sir. So that, whenever I use the word 'I,' it may be taken as expressing the will of my constituency. Generally, when we stand up here to speak, we have a rough idea of our constituencies' opinion; but in this case, I have got a special expression of opinion from my constituency on this Bill.

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"Sir, I may mention to this House at the outset that my constituency is definitely against any interference with the ancient and traditional modes of temple worship in Malabar. The Hindus of Malabar in various essentials differ from the Hindus in other parts of India. I maintain, Sir, that Malabar is the most Hindu part of India; it is a part of India which has been less affected by foreign and other influences. Even till recently, till after the Nambudri Bill was passed, many of them were following the marumakkattayam system of inheritance; so were the Mappillas, i.e., both Brahmans and Muslims followed the local law. I do not think this House realizes to what a great extent it will be interfering, by passing this Bill, with the ancient customs of Malabar. No doubt, Sir, this Bill is permissive; but if votes are to be taken from tbe caste Hindus, and if a majority of them should be in favour of temple entry, the Bill will still be allowing that majority of caste Hindus to interfere with the convictions of the minority, however conservative or backward that minority may be in its opinion. It will be an unwarranted interference with the religious convictions of certain classes of Hindus in Malabar. For instance, although there are the Sunnis and Shiahs in the Mussalman community, I do not think it will be proper to pass an Act permitting these Mussalmans to worship in each other's mosques. Religion is not a matter of vote. Sir, these are my remarks on the general aspects of the case.

"Now, Sir, I do not know what exactly is the position in Tamil Nadu or in Karnataka or in Andbradesa, but almost every family of any status in Malabar has its own temple. It bas been a sacred duty in Malabar for hundreds of years for a Hindu to found a temple; and therefore, their piety and their religious feelings should not be exploited. The funds that the people of Malabar have bequeathed for the foundation of these temples should not be diverted to purposes other than those for which those people intended them. Sir, I have already said that these Malabar temples are purely private temples, and unlike temples in other parts of the country, tbese temples have risen in their importance along with the rise in status of the family to which they belonged, and they have sunk in their importance whenever there has been a lowering in the status of the family concerned; and although in some cases the general public are admitted to these temples, too much weight ought not to be attached to this aspect.

"Again, the buildings connected with tbese temples are quite unlike those which we find on tbe East Coast. They are all buildings such as can be conveniently constructed by a private family and they are not the massive structures of the East Coast which can be used by huge concourses of people. That is a point in favour of the fact that these temples are purely private property. There is a presumption in Malabar—unlike elsewhere in

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this Presidency—that a temple is really private. The High Court also has ruled that temple properties in Malabar do not vest in the deity but in the Ooralan, i.e., the managers of the temple —vide 4, Madras, page 141.

"As I have said already, the fact that the public have been freely admitted into these temples is no proof that the temples in Malabar are public temples. It may be a principle, according to English jurisprudence, that a free user confers a right or vests a right of entry in the public; but Malabar ideas are quite different. There, a right to use or enter the temple freely does not automatically make a temple a public temple. Again, Sir, it is well known that no Hindu will prevent another Hindu from worshipping in his temple. Another reason why I say that these temples are private temples is that in every case affected by this Bill, the owners have reserved certain rights which only they can exercise. For instance, in the Angadipuram temple, the main door of the temple could not be opened unless a member of the Walluvanad family is present, and that temple is one of the forty-nine temples affected by this Bill; all Hindus are allowed to enter and worship in this temple. Similar exclusive rights are exercised by members of the owning families in every temple in Malabar; and this, according to Malabar ideas, has always constituted an absolute exercise of the right of private ownership. Therefore, Sir, it is not right to say that a free user of the temple premises confers on even caste Hindus a right to worship the deity in these temples.

"Then again, the Government have also recognized this right. Under Regulation VII of 1817, when the Government took over the supervision of all temples in this Presidency, they made an exemption in the case of the Malabar temples, which continued to be administered by the owners, thus recognising that the temples were all private temples, and were the private properties of the owners thereof. When in the year 1863 the Board of Revenue gave up the work of administering temples in the rest of the Presidency, Malabar temples continued to be administered by their own private owners and there was no change in this respect at that time. It is understood that the Board of Revenue at that time gave up their administration as a result of missionary agitation, as missionaries were jealous of the way in which the Board effectively and efficiently administered them. Government afterwards handed over the administration of the temples to certain selected persons in the other districts of this Presidency; but this did not, as I said, affect the position in Malabar, because Malabar temples were throughout under private management. At no time have the Government exercised any supervision over Malabar temples. Such of the temples as lapsed to the Government by escheat or by the extinction of the owners' families were handed over by them either to the Zamorin or

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to some other prominent person in the locality. Such an instance took place even in the year 1842, when the Vettathnad Raja's family temple was handed over to the Zamorin, at a time when the East Coast temples were actually being administered by the Government themselves. This does not show that the temples did not require better administration, but that the Government thought that Malabar customs demanded that these temples should be handed over to private persons; and it also shows the large amount of public feeling that existed in the matter at that time. It was only after the Montagu-Chelmsford Reforms came in, when Ministers were appointed, and when no Malayalee was appointed as one, and after the Hindu Religious Endowments Board was constituted, and no Malayalee again was appointed as a member of the Board, and thus for want of proper representation of Malabar on the Ministry and on the Board, that the presumption was made for the first time that Malabar temples also were practically on the same footing as the temples on the East Coast.

"Sir, politics and religion should be kept apart. No longer does the world believe in a religious State. A State can now well be composed of persons belonging to different religions. The principles which allow Mussalmans and Hindus to observe their own religions in the same country ought to apply, to a certain extent, to the observance of different modes of religious worship by different classes of people in the Hindu fold itself. Otherwise, there is no meaning in our demand for a free India. This demand for temple entry is based on political grounds and not on religious grounds, and on the feeling that the Depressed Classes may be considered as inferior to the caste Hindus. But, Sir, on neither of these grounds is the demand justifiable.

"Again, taking a recent case, we should not forget what happened in connexion with the Bill of Mr. M. C. Rajah. We find that the Harijan representative from Malabar, Mr. Kannan, voted against that Bill. That shows that he was not really enthusiastic for the compulsory entry of the Harijans into temples. Out of the 30 Harijan members of this House, I believe 27 members voted against Mr. Rajah's Bill. That shows that most of the Harijan members in this House do not definitely and strongly demand temple entry; because, Sir, it is one thing to want temple entry, and it is an entirely different thing to ask for temple entry only if the caste Hindus do not object. If the caste Hindus so desire, even now, Harijans may be allowed to enter these temples. I am sure that the Hon. Minister will agree that it was not party discipline which made the Harijan members vote with the Government on that occasion; because, according to the Poona Pact, they were given freedom to vote on Harijan questions as they liked; I hope, the Hon. Minister will be the last person to set at naught a pact entered

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into by Mr. Gandhi. Therefore, I say that having voted deliberately against Mr. Rajah's Bill, these 27 Harijan members of this House do not want temple entry. And, if in spite of it, you want temple entry, I say, why not have it in the case of a few temples which exist in those districts which are represented by the three members who voted in favour of that Bill, i.e., Messrs. Rajah, Sahajanandam and Adimoolam? If any Bill is to be introduced at all in this House for temple entry, it should naturally be first brought into operation in the districts which these gentlemen come from, and not in Malabar.

"Lastly, Sir, a great point was made by the Hon. the Minister when he said that Travancore has introduced temple entry by legislation. May I say that Travancore does not adjoin Malabar and Cochin does? Travancore adjoins the Tinnevelly district, and even to-day the Ambasamudram taluk people adopt the Travancore Kollam era, which the whole of Malabar does not do. But, Cochin which really lies between the Travancore State and Malabar, has not yet taken up this temple entry legislation. We all know there is a Congress Minister now in Cochin, and I take it that the Congress Party has got full confidence in that Congress Minister in Cochin. He has not attempted so far to introduce any temple entry legislation in Cochin. Such being the case, why not we wait and see whether Cochin is going to have such a legislation, whether a native of the Cochin State who knows the State well and who may like to introduce a Bill for this purpose, really does so? When such a legislation is passed in Cochin, then it will be time for the Madras Government to think of introducing similar legislation in the district of Malabar, the district which is in geographical proximity to Cochin. I have already said that Tinnevelly is much nearer to Travancore than Malabar.

"Sir, finally, I want to say a word about costs. Who is to bear the costs of this so-called referendum? Are they to be borne by the temple funds or by the Government?"

"I think, Sir, I have met most of the points raised by the Hon. the Prime Minister, and I do not think I need say anything more. So, on behalf of my constituency, I plead that the House should throw out this Bill."

MR. SPEAKER:—"In consultation with the Leader of the House, I now adjourn the House to meet again to-morrow at 3 p.m."

APPENDIX.

[Vide answer to starred question No. 311 asked by Khan Bahadur Mahmud Schamnad Sahib Bahadur at the meeting of the Legislative Assembly held on the 1st December 1938, page 359 supra.]

List of secondary schools in which the teaching of Hindustani in Forms I to III has been sanctioned in 1938–39.

Serial number and district. (1)	Management. (2)	Name of school. (3)
1 Vizagapatam ..	Government ..	Queen Mary's High School for Girls, Vizagapatam.
2 Do. ..	Municipal ..	Municipal High School, Chicacole.
3 Do. ..	Board	Board High School, Parvatipuram.
4 Do. ..	Do.	Do. Chodavaram.
5 Do. ..	Do.	Do. Yellamanchili.
6 East Godavari ..	Government ..	School Department of Government Training College, Rajahmundry.
7 Do. ..	Do. ..	Secondary and Training School for Women, Rajahmundry.
8 Do. ..	Municipal ..	Municipal High School, Rajahmundry.
9 Do. ..	Board	Board High School, Amalapuram.
10 Do. ..	Do.	Do. Razole.
11 Do. ..	Do.	Do. Ramachandrapuram.
12 Do. ..	Do.	Do. Kothapeta.
13 West Godavari ..	Government ..	Secondary and Training School for Women, Ellore.
14 Do. ..	Municipal ..	Municipal High School, Palacole.
15 Do. ..	Board	Board High School, Tanuku.
16 Do. ..	Do.	Do. Kovur.
17 Do. ..	Do.	Do. Nidadavole.
18 Do. ..	Aided	Taylor High School, Narasapur.
19 Kistna	Municipal ..	Municipal High School, Bezwada.
20 Do.	Government ..	Lady Ampthill School, Masulipatam.
21 Do.	Board	Board High School, Gudivada.
22 Do.	Do.	Do. Punadipadu.
23 Do.	Do.	Do. Pamarru.
24 Do.	Aided	R. R. School, Nuzvid.
25 Guntur	Municipal ..	Municipal High School, Chirala.
26 Do.	Board	Board High School, Bapatla.
27 Do.	Do.	Do. Repalle.
28 Do.	Do.	Do. Kollur.
29 Do.	Do.	Do. Duggirala.
30 Do.	Do.	Do. Nidubrole.
31 Kurnool ..	Government ..	Government Girls' School, Kurnool.
32 Do.	Municipal ..	Municipal High School, Kurnool.
33 Do.	Board	Board High School, Cumbum.
34 Bellary	Government ..	Government Secondary School for Girls, Brucepet, Bellary.
35 Do.	Municipal ..	Municipal High School, Bellary.
36 Do.	Do. ..	Do. Adoni.
37 Do.	Do. ..	Do. Hospet.
38 Anantapur ..	Government ..	Government Secondary and Training School, Anantapur.
39 Do. ..	Municipal ..	Municipal High School, Anantapur.
40 Do. ..	Board ..	Board High School, Penukonda.
41 Cuddapah ..	Government ..	Government Middle School for Girls, Cuddapah.
42 Do. ..	Municipal ..	Municipal High School, Cuddapah.
43 Do. ..	Do. ..	Do. Proddatur.
44 Nellore	Government ..	Government Secondary and Training School for Women, Nellore.

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Serial number and district. (1)	Management. (2)	Name of school. (3)
45 Nellore ..	.. Municipal ..	Municipal Middle School, Ranganayakulupet.
46 Do. ..	.. Board	Board High School, Kavali.
47 Do. ..	.. Do.	Do. Gudur.
48 Do. ..	.. Do.	Do. Kandukur.
49 Madras	.. Government ..	Presidency Training School, Egmore.
50 Do.	.. Do. ..	Lady Willingdon Training College, Triplicane.
51 Do.	.. Aided	Madras Christian College (School Department).
52 Do.	.. Do.	Hindu Theological High School, Madras.
53 Do.	.. Do.	Hindu High School, Triplicane.
54 Do.	.. Do.	P.S. High School, Mylapore.
55 Do.	.. Do.	National Girls' School, Mylapore.
56 Chingleput	.. Government ..	Teachers' College, Saidapet (School Department).
57 Do.	.. Do. ..	Government Middle School for Girls, Conjeeveram.
58 Do.	.. Board	Board High School, Poonamallee.
59 Do.	.. Do.	Do. Ponneri.
60 Do.	.. Aided	Pachaiappa's High School, Conjeeveram.
61 North Arcot	.. Government ..	Government Secondary and Training School for Women, Vellore.
62 Do.	.. Municipal ..	Municipal High School, Tiruppattur.
63 Do.	.. Do. ..	Do. Gudiyattam.
64 Do.	.. Board	Board High School, Arni.
65 Do.	.. Do.	Do. Arcot.
66 Do.	.. Aided	Sree Mahant's Devasthanam Hindu School, Vellore.
67 Chittoor	.. Board	Board High School, Chittoor.
68 Do.	.. Do.	Do. Chandragiri.
69 Do.	.. Do.	Do. Kalahasti.
70 Do.	.. Aided	Sri Mahant's School, Tirupati.
71 South Arcot	.. Government ..	Secondary and Training School for Women, Cuddalore.
72 Do.	.. Municipal ..	Municipal High School, Cuddalore.
73 Do.	.. Do. ..	Do. Villupuram.
74 Do.	.. Board	Board High School, Tirukkoyilur.
75 Do.	.. Do.	Do. Vriddhachalam.
76 Tanjore	.. Government ..	Government Middle School for Girls, Mayavaram.
77 Do.	.. Municipal ..	Municipal High School, Mayavaram.
78 Do.	.. Board	Board High School, Tiruvarur.
79 Do.	.. Aided	Town High School, Kumbakonam.
80 Do.	.. Do.	National High School, Mannargudi.
81 Do.	.. Do.	Do. Negapatam.
82 Trichinopoly	.. Municipal ..	Municipal High School, Karur.
83 Do.	.. Board	Board High School, Lalgudi.
84 Do.	.. Do.	Do. Kulittalai.
85 Do.	.. Do.	Do. Ariyalur.
86 Do.	.. Aided	The High School, Srirangam.
87 Madura	.. Government ..	Government Middle School for Girls, Madura.
88 Do.	.. Municipal ..	Municipal High School, Dindigul.
89 Do.	.. Board	Board High School, Usilampatti.
90 Do.	.. Do.	Do. Periyakulam.
91 Do.	.. Aided	Sourashtra High School, Madura.
92 Do.	.. Do.	Victoria Memorial School, Bodinayakkanur.
93 Ramnad	.. Board	Board High School, Rajapalayam.
94 Do.	.. Aided	Hindu Nadar's School, Virudunagar.
95 Do.	.. Do.	Raja's School, Sivaganga.
96 Do.	.. Do.	Kshatriya Vidyasala, Sivakasi.
97 Do.	.. Do.	Arunachalam Chettiyar's School, Pallattur.

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Serial number and district. (1)		Management. (2)	Name of school. (3)
98	Tinnevelly	Board	Board High School, Tenkasi.
99	Do.	Aided	M.D.T. Hindu College (School Department), Tirunelveli.
100	Do.	Do.	Tirtapati High School, Ambasamudram.
101	Do.	Do.	George Middle School, Kallidaikurichi.
102	Coimbatore	Government	Coimbatore College (School Department).
103	Do.	Do.	Secondary and Training School for Women, Coimbatore.
104	Do.	Municipal	Municipal High School, Coimbatore.
105	Do.	Do.	Municipal Middle School, Ratnasabhapatipuram.
106	Do.	Board	Board High School, Udamalpet.
107	Do.	Aided	Sarvajana High School, Peelamedu.
108	Salem	Government	Government Secondary School for Girls, Salem.
109	Do.	Municipal	Salem College (School Department).
110	Do.	Board	Board High School, Namakkal.
111	Do.	Do.	Do. Krishnagiri.
112	The Nilgiris	Municipal	Municipal High School, Ootacamund.
113	Malabar	Government	Tiruvengad Brennen Branch School.
114	Do.	Do.	Secondary and Training School for Women, Cannanore.
115	Do.	Municipal	Municipal High School, Cannanore.
116	Do.	Do.	Do. Palghat.
117	Do.	Board	Board High School, Koduvayur.
118	Do.	Do.	Do. Chowghat
119	Do.	Aided	Christian College (School Department), Calicut.
120	South Kanara	Government	Government Model School, Mangalore.
121	Do.	Do.	Secondary and Training School for Women, Mangalore.
122	Do.	Board	Board High School, Karkal.
123	Do.	Do.	Do. Mulki.
124	Do.	Aided	St. Aloysius College (School Department), Mangalore.
125	Do.	Do.	Kanara High School, Mangalore.

THE MADRAS LEGISLATIVE ASSEMBLY.

Friday, the 2nd December 1938.

The House met in the Assembly Building, Chepauk, at three of the clock, Mr. Speaker (THE HON. SRI B. SAMBAMURTI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

SRI G. KRISHNA RAO:—"Mr. Speaker, Sir, I want to make a submission to you, before the business of the House is begun and that is, we are not able to hear anything in the House as the acoustic properties of the House have become worse than what they were last time. I think it is due to the number of microphones. At any rate I would like that something is done to maintain the *status quo* with regard to acoustic properties because they are getting worse and worse. Not only that Members are not able to hear what is going on, but even the reporters are not able to hear anything. From the reports we see that it is difficult for them to grasp the accents and mannerisms of various people. I would therefore request you, Sir, to see that some satisfactory arrangement is made with regard to the matter of hearing in the House."

MR. SPEAKER:—"Does the hon. Member suggest any arrangement?"

SRI G. KRISHNA RAO:—"I am a lay man and I do not know anything about it, but I think it is the mistake of the microphones."

MR. SPEAKER:—"Is the hon. Member prepared for the removal of the microphones altogether?"

SRI G. KRISHNA RAO:—"But the number may be lessened. I do not know anything about microphones, but I am telling what I feel in the matter. I think a multiplicity of these microphones is responsible for echoes and re-echoes."

MR. SPEAKER:—"Would the hon. Member like to have an open-air meeting of the Assembly?"

SRI G. KRISHNA RAO:—"I am sorry, Sir, it is thought that I have in any way made a levitous suggestion. I am making it seriously."

MR. SPEAKER:—"Does the hon. Member think that an open-air meeting of the Assembly is not permissible?"

SRI G. KRISHNA RAO:—"It is permissible; but we are talking with what we have got at present."

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MR. SPEAKER :—" I think every attention will be paid in future for better arrangement if this house should continue as the house for the Assembly."

SRI G. KRISHNA RAO :—" I am thankful for the promise, Sir."

Enhancement of the scale of fees for Special Test Examinations.

* 339 *Q.*—SRI G. KRISHNA RAO: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether the scale of fees for special test examinations such as Revenue test, Account test, Criminal test, etc., has been raised since the Madras Public Service Commission took charge of these examinations; and

(*b*) what the old scale of fees for these examinations was and what the present scale is?

THE HON. SRI C. RAJAGOPALACHARIAR :—" (*a*) The scale of fees for certain Special Tests examinations was raised in 1932 after the Madras Public Service Commission took charge of the conduct of the examinations.

" (*b*) A statement [a] is laid on the table."

THE HON. SRI C. RAJAGOPALACHARIAR :—" Has the hon. Member heard what I have said? "

SRI G. KRISHNA RAO :—" Yes, with regard to the Premier it is never difficult.

" Will the Government see that the scales of fees of these tests at least are reduced if possible as the persons appearing for these examinations are poorly paid officials? "

THE HON. SRI C. RAJAGOPALACHARIAR :—" The suggestion will be considered, but the prospect is not bright."

Alleged interference of the Subdivisional Magistrate, Vellore, with the owners of printing presses in re *the printing of anti-Hindi pamphlets.*

* 340 *Q.*—SRI B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether it is a fact that the press owners at Vellore were ordered by the Subdivisional Magistrate, Vellore, to give an undertaking not to print any pamphlet or notice condemning the introduction of Hindi in schools;

(*b*) if the answer is in the affirmative, under what authority such an order was made;

(*c*) whether the Government have issued any orders to the Magistrates to prevent the condemning of Hindi; and

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a Printed as Appendix I on page 479 *infra*.

(*d*) if the answer is in the affirmative, what the principle involved in such a policy is?

THE HON. SRI C. RAJAGOPALACHARIAR:—" The answers to (*a*) and (*c*) are in the negative.

" (*b*) & (*d*) do not arise."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—" In view of the fact that there have been complaints of interference on the part of officials with printers in the matter of printing news about anti-Hindi movement, will the Government be pleased to issue instructions to officials not to interfere with printers? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" The presumption is not correct and I do not think that the question arises."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—" May I inform the Hon. Premier . . ."

MR. SPEAKER:—" The hon. Member may put a supplementary question. If information is to be communicated necessitating details he must communicate with him separately. At present, if there is anything to elucidate what has been given as the answer to the original question, he may put a supplementary question."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—" May I know, Sir, whether the Government are aware that there is at least a general complaint not only in the North Arcot district to which this question relates, but also in other districts, that officials either officially or unofficially have instructed printers not to accept notices and notifications relating to anti-Hindi movement? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" The Government is not only not aware of it, but is in a position to state clearly that it is wrong. Hon. Members who are imagining that such instructions have been issued, or persons who are talking about such instructions having been issued, are apparently referring to the fact that printers have been, not only now but even before, warned not to print matters which will create class-hatred and it is but just that they should be warned because they would be innocently victims of others' objections and be subject to prosecution."

Representation of " Kudubis," a backward tribe of South Kanara in the public service.

* 341 *Q.*—H. S. HUSSAIN SAHIB BAHADUR: Will the Hon the Prime Minister be pleased to state—

(*a*) whether it is a fact that there is a very backward tribe, called Kudubis and belonging to the scheduled classes in the district of South Kanara;

(b) whether any members of this tribe are represented in Government services, and if so, how many;

(c) whether there are any educationally qualified applicants from this tribe for posts in Government service; and

(d) whether the Government will consider the desirability of giving representation to qualified candidates of this tribe in Government service?

THE HON. SRI C. RAJAGOPALACHARIAR:—" (a) The community referred to is a primitive tribe included among the scheduled classes. Its male population numbers only about 6,000.

" (b) & (c) The Government have no information.

" (d) The Government is carrying out the policy of making new appointments to the services so as to secure just communal representation. But it is impossible to reserve posts separately for each scheduled class or for any of the subdivisions of the five categories recognized for this purpose."

Selection of Sub-Inspectors of Police.

* 342 Q.—H. S. HUSSAIN SAHIB BAHADUR: Will the Hon. the Prime Minister be pleased to state—

(a) whether there was any recent selection of Sub-Inspectors of Police in this province and, if so, in which districts;

(b) how many candidates were selected and to what communities they belong;

(c) whether candidates for selection to these posts are required to deposit any fees and if so, how much;

(d) whether such candidates are also required to pay any fees to the District Medical Officer for medical examination before selection and if so, how much;

(e) whether the required fees paid by candidates before selection are refunded to those who are not selected and if not, why not; and

(f) what the total amount of fees collected from such candidates is?

THE HON. SRI C. RAJAGOPALACHARIAR:—" (a) A selection of candidates for appointment as Sub-Inspectors of Police was held in September last. Such selections are made on a range basis and not in each district.

" (b) Seventy candidates were selected by direct recruitment: 5 scheduled classes, 12 Anglo-Indians and Indian Christians, 13 Mussalmans, 10 Brahmans and 30 non-Brahmans.

" (c) Candidates applying for selection as Sub-Inspector of Police are required to pay a fee of Rs. 10.

"(d) The District Superintendent of Police eliminates the cases of candidates not qualified and not likely to be selected and those finally sent up to the Deputy Inspector-General are required to undergo medical examination. The fee payable for a medical examination is Rs. 16.

"(e) The fee paid by candidates is not refundable. The fee is prescribed to act as a check on applications from men not likely to succeed, and to be uniform with the procedure in other cases of recruitment to the public service.

"(f) The total amount collected from the candidates this year as application fees was Rs. 9,920 for 992 applications."

SRI P. BUCHAPPA NAYUDU:—"May I know, Sir, why Government have dropped recruitment to the service by the Service Commission and reverted to the old system of recruitment by the district officials?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"The question assumes a number of mistakes. The Government have not stopped generally, but the question is only with reference to the Police. As far as I understand, it was never done by the Public Service Commission; of course, I may be corrected if I am wrong."

SRI P. BUCHAPPA NAYUDU:—"It used to be."

THE HON. SRI C. RAJAGOPALACHARIAR:—"I think, Sir, that there is good reason that in the matter of the recruitment to the Police service it should be by the Inspector-General of Police."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I ask, Sir, in view of the handicaps that the educated unemployed have already to meet, why the Government insist on the payment of an application fee of Rs. 10 in each case and whether Government could not consider the possibility of doing away with the application fee?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"To avoid a situation analogous to the incident at the Gaiety Theatre."

Proposals for the levy of a tax on sales.

* 343 *Q.*—SRI B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Prime Minister be pleased to state—

(a) whether it is a fact that there is a proposal before the Government to levy tax on sales;

(b) whether it is a fact that the Government have called for information from the Collectors of the districts regarding the proposed levy of tax on sales;

(c) what the opinion of the Collectors of the districts is in the matter; and

(d) what the probable revenue expected thereby by Government is?

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THE HON. SRI C. RAJAGOPALACHARIAR:—" (a) Government is considering several proposals and suggestions to exploit new sources of revenue open to them under the Schedules of the Government of India Act and a tax on sales is one of them.

" (b), (c) & (d) The Government are not prepared to disclose the enquiries made or the recommendations received at this stage. No final decision in regard to the levy of the tax has been yet arrived at."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—" May I know, Sir, with reference to the sale of what articles the Government propose to levy a tax? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" It would not be wise, Sir, to give forecasts of such taxation in the interests of commerce."

Reinstatement of the village officers dismissed on account of their participation in the non-co-operation and civil disobedience movements.

* 344 *Q.*—SRI G. KRISHNA RAO: Will the Hon. the Minister for Revenue be pleased to state regarding the reinstatement of village officers who were dismissed on account of their connexion with the non-co-operation and civil disobedience movements—

(*a*) out of the remaining cases under consideration, whether any further restorations were made;

(*b*) if so, how many;

(*c*) how many were deemed unfit for restoration; and

(*d*) what the reasons are in each case?

THE HON. SRI T. PRAKASAM:—" (*a*), (*b*) & (*c*) The Hon. Member presumably refers to the cases examined since starred question No. 279 on the subject was answered in Legislative Assembly on 5th March 1938. The following particulars are furnished:—

(1) Number of cases examined by the Government	215
(2) Number in which the ex-village officer was restored	122
(3) Number of cases in which the legal heir of the ex-village officer has been ordered to be appointed	47
(4) Number of cases in which orders barring future employment have been cancelled ...	7
(5) Number of cases in which Government have decided to take no action	26
(6) Number of cases still under consideration.	13

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"(*d*) In a number of the cases included in item (5) above the removal or dismissal was not due to political activities. In the remaining cases, restoration was impracticable for various reasons—for example, because the ex-village officer had been only a deputy at the time of removal or because the post had since been abolished."

SRI G. KRISHNA RAO:—"May I know, Sir, whether the people affected by the recent Government Order were holding their appointments permanently?"

THE HON. SRI T. PRAKASAM:—"All aspects of the question whether they were holding permanent appointments or not, were examined and decision was arrived at according to the law as interpreted by the Government."

BASHEER AHMED SAYEED SAHIB BAHADUR:—"Are the Government aware that there has been a number of suits filed since the order of Government, asking people who have already been in permanent service to go out of office, was issued?"

THE HON. SRI T. PRAKASAM:—"We have not got any official notice of it. One or two cases have been reported in the press and the Government are considering as to what should be done. If there should be any such litigation, necessary steps will be taken."

SRI G. KRISHNA RAO:—"May I know if the Government are aware that there are cases where these people have been holding appointments for seventeen years?"

THE HON. SRI T. PRAKASAM:—"Seventeen years or twenty years makes no difference when the cause of the restoration is known to every one in this House."

BASHEER AHMED SAYEED SAHIB BAHADUR:—"May I ask whether the Government acted under any special law or under any of the existing enactments in the matter of dispensing with the services of permanent village officials?"

THE HON. SRI T. PRAKASAM:—"The word 'permanent' has been construed in the light of the existing law and other circumstances."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"Shall I be right in presuming that at the time they were removed from the service namely during the non-co-operation movement these officers who are now reinstated were removed on grounds of indiscipline?"

"THE HON. SRI T. PRAKASAM:—"They were removed at that time on what was considered as indiscipline by the Government that was then in office."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"May I know if, in the view of this Government, what was considered indiscipline by the preceding Government should be considered

a matter of discipline and whether they have considered the possibility of succeeding Governments acting in a like manner towards the present orders of the Government ? "

THE HON. SRI T. PRAKASAM :—" I did not expect such a question from the hon. Member. When circumstances have changed, and when what was called indiscipline has ceased to be indiscipline and when those who were charged with indiscipline and thrown into jails have come to office (cheers) these officers cannot be considered to have committed any act of indiscipline."

BASHEER AHMED SAYEED SAHIB BAHADUR :—" May I know, Sir, what reason or justification was given in sending out the present incumbents? "

(No answer.)

BASHEER AHMED SAYEED SAHIB BAHADUR :—" If I have not made myself clear, may I ask, Sir. . ."

MR. SPEAKER :—" The question was put clearly enough; but it did not carry much sense and that is why the Hon. Minister is hesitating to answer the question."

BASHEER AHMED SAYEED SAHIB BAHADUR :—" I shall put the question in another form, Sir. May I know from the Hon. Minister the reasons for the dismissal or removal of the present incumbents ? "

MR. SPEAKER :—" I think it is a large question which cannot be answered within the compass of a supplementary question. He may put a definite question regarding it."

BASHEER AHMEED SAYEED SAHIB BAHADUR :—" May I ask, Sir, whether any reasons have been assigned to the individuals who have been sent out in each case ? "

THE HON. SRI T. PRAKASAM :—" Reasons were assigned in each case."

RAO BAHADUR SIR A. T. PANNIR SELVAM :—" Now that the Hon. Minister has referred to altered circumstances, may I know if there is any other altered circumstance excepting that at that time the Congress was in the wilderness and to-day they are in power ? "

MR. SPEAKER :—" I think that that question by implication contains an argument and so it is not admissible as a supplementary question. The hon. Member is requested to put an ordinary supplementary question shorn of expressions like ' being in the sea ' or ' in the wilderness.' I suggest it may be withdrawn."

RAO BAHADUR SIR A. T. PANNIR SELVAM :—" If you think that such a reference to the party in power should not be applied, I am prepared to withdraw it."

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Mr. SPEAKER:—"An argument cannot be permitted in a question."

Rao Bahadur Sir A. T. PANNIR SELVAM:—"I submit it was not an argument."

Mr. SPEAKER:—"The question may be put without that observation."

Rao Bahadur Sir A. T. PANNIR SELVAM:—"May I enquire, Sir, if there is any other altered circumstance excepting this circumstance, namely, that the Congress is to-day in power and at that time it was not?"

The Hon. Sri T. PRAKASAM:—"The other altered circumstance is that what was misconstrued as indiscipline has never been and is not an indiscipline to-day."

Sri G. KRISHNA RAO:—"May I know whether any compensation was paid to the incumbents when their services have been terminated for no fault of theirs?"

The Hon. Sri T. PRAKASAM:—"No compensation is given. No compensation will be given in view of the fact that in respect of the places which they were asked to vacate the real persons to fill those places were those that have been reinstated under the orders of the Government."

Sri KALA VENKATA RAO:—"May I know if it is a fact hat when those officers were dismissed in 1921, the vacancies vere only temporary inasmuch as the orders contemplate that nly undivided members of the family should be appointed to he posts?"

The Hon. Sri T. PRAKASAM:—"Yes. In some cases they were temporary."

BASHEER AHMED SAYEED SAHIB Bahadur:—"May know whether the Board of Revenue were consulted in the atter and what their opinion was?"

The Hon. Sri T. PRAKASAM:—"The Board of Revenue was consulted in each one of the cases."

BASHEER AHMED SAYEED SAHIB Bahadur:—"Their inion, Sir."

The Hon. Sri T. PRAKASAM:—"Their opinion was considered by the Government when each case was finally decided."

Land revenue assessment in South Kanara.

* 345 *Q.*—H. S. HUSSAIN SAHIB Bahadur: Will the n. the Minister for Revenue be pleased to state—

(*a*) the total amount of land assessment collected from South nara annually;

(*b*) what the rates of assessment for second and third crop lands respectively in South Kanara are and whether these rates include any kind of water-rate;

(*c*) what the rates of assessment of these kinds of lands respectively are in other districts where no irrigation cess is levied;

(*d*) whether assessment is levied on dry or 'punja' uncultivated or uncultivable lands in all parts of the Province and if not, in which parts it is not so levied; and

(*e*) whether assessment is levied in South Kanara on dry or 'punja' darkhast lands, uncultivated or uncultivable and with or without tree growth, and if so, what the reasons are for such a levy?

THE HON. SRI T. PRAKASAM:—"(*a*) The current land revenue demand for the district for fasli 1347 was about Rs. 32·43 lakhs. Of this amount a sum of Rs. 27·59 lakhs was collected within the fasli, viz., within 30th June 1938.

"(*b*) The consolidated double crop rates for wet lands in South Kanara are one and one-fourth times the single-crop rates. No separate charge is levied for raising a third crop. The assessment on any land represents the State's share of the produce which could be raised on the land and has nothing to do with any cess for water.

"(*c*) These are given in the resettlement reports of the districts which have been published.

"(*d*) & (*e*) Assessment is charged on all dry lands included in holdings in all parts of the Presidency except Malabar where 'unoccupied' (i.e., not cultivated or not occupied to the exclusion of others) dry lands are charged with assessment only when cultivated. This exception is due to the peculiar revenue history of Malabar."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"May I know, Sir, whether according to the recommendations of the Marjoribanks Committee darkhast lands in South Kanara should not be assessed and ought to be free as they are intended to supply fuel and leaf manure to the owner of the patta lands?"

THE HON. SRI T. PRAKASAM:—"The recommendations of the Committee are under the consideration of the Government in the matter of the revision of the revenue policy."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"May I know, Sir, whether the Government propose not to levy tax on darkhast lands in South Kanara which is adjacent to patta lands as they are intended to help the cultivation of patta lands by supplying leaf manure?"

THE HON. SRI T. PRAKASAM:—"It is a matter which refers to the general revenue policy."

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Legislative proposals, if any, for the revision of the land revenue system.

* 346 *Q.*—H. S. HUSSAIN SAHIB BAHADUR: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) how long the Government have been considering the revision of the land revenue system and the revision of land assessment; and

(*b*) whether the Government contemplate the introduction of any legislation in respect of the revision of the land revenue system, and if so, when?

THE HON. SRI T. PRAKASAM:—" (*a*) The present Government have been considering the question ever since they assumed office. No decision has yet been taken in the matter.

" (*b*) They do contemplate introducing a Bill when the final decision is reached."

Legislation to determine the relations between landlords and tenants.

* 347 *Q.*—H. S. HUSSAIN SAHIB BAHADUR: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether the Government contemplate the introduction of any legislation for adjusting and settling the relations between landlords and tenants in this Province and if so, when; and

(*b*) whether any representations have been made to the Government by Congress Committees and others with regard to the necessity of passing tenancy laws in this Province?

THE HON. SRI T. PRAKASAM:—" (*a*) It is presumed that the hon. Member refers to tenancy legislation in ryotwari areas. The giving of fixity of tenure to lessees under ryotwari owners of land revenue means taking away from the full ownership of the pattadar, and such a step is not under contemplation.

" (*b*) The answer is in the affirmative."

Provision of travelling allowance to village headmen.

* 348 *Q.*—SRI B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Minister for Revenue be pleased to state with reference to question No. 115, dated 19th August 1938, whether the Government will be pleased to place on the table the report which was called for?

THE HON. SRI T. PRAKASAM:—" The report [a] received from the Board of Revenue is laid on the table of the House."

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[a] Printed as Appendix II on pages 480—481 infra.

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SRI B. BHAKTHAVATHSALU NAYUDU :—" May I know, Sir, whether instructions will be issued to the Revenue officers not to tease the village headmen during the collection season?"

THE HON. SRI T. PRAKASAM :—" That is a matter which will have to be considered along with some other matters."

Provision of adequate supply of water to the Nattar river from the Arasalar-Nattar Regulator.

* 349 *Q*.—SRI P. R. K. SARMA: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether the statement made at page 15, 44 (8) of Volume I of the Report of the Cauvery Committee on irrigation and drainage in the Cauvery delta, that " at the Arasalar-Nattar Regulator, Arasalar gets much more than its share." represents the *present* state of affairs;

(*b*) if so, why the position has not improved and what the Government have done or propose to do, to see that the Nattar river gets its due share of water and is not deprived of its share for any reason whatsoever;

(*c*) whether the ryots under the Nattar river are still suffering under a disadvantage; and

(*d*) what steps have been taken to see that the ryots under the Nattar river get their due share of the water in time for this season?

THE HON. MR. YAKUB HASAN :—" (*a*) The answer is in the negative.

" (*b*) Regulators across the Nattar and Vanjiyar rivers are being constructed to ensure proper supply to the Nattar river.

" (*c*) & (*d*) The Chief Engineer (Irrigation) has reported that the progress of cultivation this year under Nattar has been very good and that there has been no complaint from the ryots."

Improvements to the Owk tank in Kurnool district.

* 350 *Q*.—K. ABDUR RAHMAN KHAN SAHIB BAHADUR: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether the Owk tank in Kurnool district has been getting a regular supply of water every year;

(*b*) if not, why not;

(*c*) whether the Government have made any enquiries regarding the possibility of improving the supply channels;

(*d*) whether the Subdivisional Officer at Nandyal has made any recommendations in the matter; and

(e) if the answer to (d) be in the affirmative, the action taken on those recommendations?

THE HON. MR. YAKUB HASAN:—"(a) to (e) The supply and distribution of water under the Owk tank system has not been quite satisfactory owing to a variety of causes. The Government are fully alive to the need for remedying this, and the question of effecting the necessary improvements has been under consideration for some time past. Proposals have been framed by the local officers to this end. These include the remodelling of the whole distributary system to regulate the supply at a cost of about Rs. 20,000 and constructing dams where necessary, and the repairs to Yerra kalva, Basavanna Katwa channel and two other channels. The repairs to Yerra kalva are already in progress. A special supervisor has been posted to investigate all these proposals in detail and also to examine if it is possible to increase the supply to the tank by diverting other streams into it."

Proposals for the construction of a tidal lock at Gopayalanka.

*351 Q.—SRI KALA VENKATA RAO: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether there is a proposal to construct a tidal lock at Gopayalanka in the Central Delta;

(b) whether it is a fact that there is no approach to the river or sea through any of the Bank Canals in the Central Delta;

(c) whether the proposal for a tidal lock in the Central Delta is as old as Sir Arthur Cotton's original scheme in 1852; and

(d) whether the Government will consider the desirability of including it in Part II Schemes of the Budget for 1939-40?

THE HON. MR. YAKUB HASAN:—"(a) The answer is in the affirmative.

"(b) It is presumed the hon. Member means by 'Bank Canals' canals running by the side of flood banks. There are three such canals in the Godavari Central delta, namely:—

(1) Bank canal, (2) Bendamur lanka canal and (3) Gunnavaram canal.

"The Gunnavaram canal alone has a tidal lock at Sakinetipalli which gives access to the river and sea.

"(c) Definite information on the point is not available.

"(d) The scheme is being examined and it is not yet ripe for inclusion in the list of Part II Schemes."

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Working of the 3-feet shutters on the Godavari anicut.

* 352 Q.—SRI KALA VENKATA RAO: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government passed an order to defer all irrigation* extension schemes in the Godavari deltas pending the experiment of 3-feet shutters on the anicut;

(b) whether the experiment was started in the cultivation season of 1936; and

(c) whether the experiment has proved successful during the last three seasons?

THE HON. MR. YAKUB HASAN:—"(a) In September 1932 the Chief Engineer (Irrigation) submitted a scheme for extension of irrigation to an extent of 89,192 acres in the three sections of the Godavari delta. The total cost of the scheme was estimated at Rs. 30 lakhs. In 1934 the Government ordered that the special works forming part of the scheme submitted by Chief Engineer (Irrigation) should be carried out in the first instance and the results watched to ascertain whether, by the installation of the falling shutters, additional supply is made available for the proposed extension and that the question of adding further area might be investigated thereafter.

"(b) The special works are in progress and have not been completed.

"(c) In view of the answer to clause (b) this does not arise."

SRI KALA VENKATA RAO:—"Is it a fact that the extension schemes in the three Godavari deltas have been kept in abeyance all these years?"

THE HON. MR. YAKUB HASAN:—"As I mentioned, some of them have been kept in abeyance as the Government are watching the result of those which are in operation."

SRI KALA VENKATA RAO:—"Three years have elapsed since the scheme was started. Is it not sufficient time to know the result?"

THE HON. MR. YAKUB HASAN:—"The experiment requires further trial; the three years' trial is not sufficient."

Memorials from the ryots of North Arcot and Chingleput complaining of insufficient supply of water for lands under the Palar Basin.

* 353 Q.—SRI B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that memorials from the ryots of North Arcot and Chingleput owning lands under the Palar River

Basin were received by the Government complaining at the insufficient supply of water during the last decade;

(b) whether the Government have taken any action in that matter and at what stage the matter stands at present;

(c) whether the Hon. Minister proposes to visit the affected parts and make a personal inspection, and if so, when; and

(d) whether a similar memorial was sent to Government by the ryots about a decade ago and what steps were taken for the last ten years to solve the problem?

THE HON. MR. YAKUB HASAN:—" (a) & (d) Yes.

" (b) Yes. The matter is under consideration and orders will be issued as early as possible.

" (c) Yes. In January next."

SRI V. M. RAMASWAMI MUDALIYAR:—" Are the Government aware that a committee was appointed by the Government some years ago and the Committee could not finish its functions because time had elapsed and because certain information required by them was not given to them? "

THE HON. MR. YAKUB HASAN:—" I thank the hon. Member for the information."

SRI V. M. RAMASWAMI MUDALIYAR:—" May I ask, Sir, whether in view of the information I have given, an opportunity would be given to the Committee of this House to conclude its labours and the information asked for furnished? "

THE HON. MR. YAKUB HASAN:—" No committee is necessary for that purpose."

BASHEER AHMED SAYEED SAHIB BAHADUR:—" May I know, Sir, whether there is any difficulty in redressing the grievances of the people of Chingleput on account of the agreement entered into by this Government with Mysore and if so, what steps they are taking to remove the difficulty? "

THE HON. MR. YAKUB HASAN:—" I will look into the matter again."

Withdrawal of educational concessions from Harijan students on change of religious faith.

* 354 Q.—K. ABDUR RAHMAN KHAN SAHIB BAHADUR: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) the concessions that are granted to Harijan students in respect of their school fees;

(b) whether any Government Order has been passed recently to the effect that a change of religion on the part of any Harijan student will lead to the cancellation of such concession; and

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(*c*) if the answer to (*b*) be in the affirmative, the need for making change of religion a bar to the enjoyment of such concession?

THE HON. DR. P. SUBBARAYAN:—" (*a*) & (*b*) The hon. Member is referred to rules 73 and 92 of the Madras Educational Rules. Besides the concessions admissible under these rules, district boards and municipalities are authorized to grant full fee remissions to poor Harijan pupils studying in their secondary schools. In none of these cases does change of religion on the part of a Harijan pupil lead to the cancellation of the concession held by him. Recently, poor students of the Scheduled castes reading in colleges have been granted full fee concessions. The whole question of fee concessions in schools and colleges is being now reviewed.

" (*c*) Does not arise."

SRI DIWAN BAHADUR A. APPADURAI PILLAI:—" Will the Hon. the Minister for Education be pleased to direct that the whole correspondence on the matter be placed on the table for a proper understanding of the case? "

THE HON. DR. P. SUBBARAYAN:—" No, Sir."

Proposals for a change in school hours.

* 355 *Q.*—K. ABDUR RAHMAN KHAN SAHIB BAHADUR: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether any representations were made to the Government for a change in school hours of the institutions in this Province; and

(*b*) whether the Government have considered the advisability of giving effect to those representations?

THE HON. DR. P. SUBBARAYAN:—" (*a*) The answer is in the affirmative.

" (*b*) Yes. The existing rules do not prevent the holding of classes at suitable hours at the discretion of the management."

Closure of elementary schools by the District Board, North Arcot.

* 356 *Q.*—SRI B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) how many elementary board schools were closed by the President, District Board, North Arcot, in the year 1938;

(*b*) whether the Government will be pleased to place on the table the names of schools closed talukwar;

(c) what the reasons are for closing the schools;

(d) how many new schools were opened in the years 1934 to 1938 by the District Board, North Arcot;

(e) how many teachers were thrown out of employment by the closure of schools by the above board; and

(f) whether there is any possibility of reinstating them in the near future by the above board?

THE HON. DR. P. SUBBARAYAN:—" (a) Eighty-three.

" (b) A statement[a] is laid on the table.

" (c) The schools were inefficient, uneconomic and superfluous. Further, retrenchment was necessary in order to balance the Elementary Education Fund budget of the district board.

" (d) & (f) The Government have no information.

" (e) 100."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" May I know, Sir, whether in view of the fact that the district board is not in a position to maintain the necessary number of schools, it would not be advisable for the Government to take over the department of Education from that district board? "

THE HON. DR. P. SUBBARAYAN:—" The matter was considered as a whole and it has been decided not to take over the board elementary schools."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" May I know, Sir, whether the Government, inasmuch as they are entrusted with the education of the people of this Province, will try to see that education does not depend upon the district hoard finances? "

THE HON. DR. P. SUBBARAYAN:—" It is not a question of district board finances at all. It is a separate elementary education fund and the Government give as much amount as that raised by the education cess. What is raised in the district is spent in the district itself."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—" May I know, Sir, whether these elementary schools are not an additional burden thrown upon the district boards on account of the abolition of the taluk boards and whether the Government have found the district boards not able to maintain these elementary schools? "

THE HON. DR. P. SUBBARAYAN:—" If the hon. Member means that just because the district boards have taken over the schools, the money available will be less, I am afraid he is wrong."

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[a] Printed as Appendix III on page 482 infra.

BASHEER AHMED SAYEED SAHIB BAHADUR:—"If it arises out of the answer given, may I ask, Sir, what progress the Government have made in the policy of taking over the elementary schools under their control?"

THE HON. DR. P. SUBBARAYAN:—"Evidently the hon. Member was not listening to what I said just a moment ago. As I have said, it has now been decided that board elementary schools should not be taken over by the Government."

Conversion of the Government Middle School for Girls at Conjeeveram into a High School.

*357 *Q.*—SRI P. S. SRINIVASA AYYAR: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether the residents of Conjeeveram have petitioned to the Government for raising the Government Middle School for Girls at Conjeeveram to a High School; and

(*b*) whether the Government will consider the desirability of making arrangements for opening the fourth form in that school at least from the commencement of the next official year?

THE HON. DR. P. SUBBARAYAN:—"(*a*) The answer is in the affirmative.

"(*b*) The Government have considered the question; they feel the strength in the I, II and III forms will not warrant the starting of a high school for girls at Conjeeveram."

SRI P. S. SRINIVASA AYYAR:—"Are the Government aware that there are secondary schools in Conjeeveram and the secondary schools have more than 30 to 40 students in the III Form?"

THE HON. DR. P. SUBBARAYAN:—"I will consider the matter, but there again, I must warn the hon. Member, it very much depends on the amount of money available for Part II Schemes."

Number of District Board and Aided Elementary Schools and the number of uneconomic schools closed after July 1937 *in the Ramnad district.*

*358 *Q.*—SRI V. S. R. M. VALLIAPPA CHETTIYAR: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) the number of Aided Elementary schools and District Board Elementary schools in Ramnad district, talukwar; and

(*b*) the number of District Board schools in the district that have been closed as uneconomic after July 1937?

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THE HON. DR. P. SUBBARAYAN :—" (a) On 31st March 1937 the total number of board and aided elementary schools in the Ramnad district was as follows:—

District board schools	603
Aided schools	928

Separate figures for each taluk are not available to the Government.

" (b) The Government have no information."

Alleged interference with the working of the temple committees by the Hindu Religious Endowments Board.

* 359 Q.—SRI T. T. KRISHNAMACHARIAR: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether the Government have received a representation from the Tuticorin Circle Temple Committee in reply to the Government Memorandum No. 22770/I.P.H.F., dated 5th July 1938;

(b) if the answer to the above is in the affirmative, what action has been taken by the Government in the matter; and

(c) whether the Hon. Minister will consider the desirability of instructing the Hindu Religious Endowments Board to desist from interference with the details of the working of the temple committees?

THE HON. DR. T. S. S. RAJAN :—" (a) The answer is in the affirmative.

" (b) Orders have been issued abolishing the temple committee.

" (c) The powers of interference of the Board are statutory. The Government are therefore precluded from fettering the discretion of the Board in exercising those powers."

Flow of the used bad tannery water into Sembattu village near Trichinopoly.

* 360 Q.—SRI V. S. R. M. VALLIAPPA CHETTIYAR: the Hon. the Minister for Public Health be pleased to state—

(a) whether the Government are aware that dirty water from the tanneries is allowed to stagnate on the sides of the main road from Trichinopoly to Pudukottah in the middle of the village of Sembattu, near Trichinopoly;

(b) whether a stinking smell emanates from the stagnant water and pervades the whole village; and

(c) if so, whether necessary steps will be taken by the Government to divert the flow of the dirty water from the tanneries, away from the village?

THE HON. DR. T. S. S. RAJAN :—" (a) No.

" (b) The Government have no information. A report has been called for.

" (c) The question will be considered after the receipt of the report."

SRI V. M. RAMASWAMI MUDALIYAR:—" Is there any proposal before the Government for the diverting of dirty water from the tanneries away from the villages and to make it harmless and if so, at what stage that proposal is? "

THE HON. DR. P. SUBBARAYAN:—" Although it does not directly arise out of this question, I am prepared to give the information to the hon. Member. The proposal has been before the Government and has been communicated to the tanneries concerned. But the tanneries concerned complain that the proposal involves a heavy investment of finances for which they are not prepared."

Measures to prevent lepers and persons afflicted with contagious diseases from infecting places of public resort.

* 361 Q.—MRS. KHADIJA YAKUB HASAN: Will the Hon. the Minister for Public Health be pleased to state—

(a) what action is being taken by Government to prevent persons suffering from leprosy and other contagious diseases which endanger the health of citizens from roaming about in the public streets and in public parks, or travelling in public conveyances; and

(b) if no such action is being taken, whether Government propose to take any such steps in the near future?

THE HON. DR. T. S. S. RAJAN:—" (a) & (b) The matter is under the active consideration of the Government."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" May I ask if the Government realize the importance and the urgency of this reform in view particularly of the fact that the Government have not included the particular subject in the Public Health Bill under consideration?

THE HON. DR. T. S. S. RAJAN:—" I would like the hon. Member to read the Bill a little more carefully. I could show him sections dealing with the particular disease."

Proposals for the reorganization of the subsidized rural medical service.

* 362 Q.—SRI G. KRISHNA RAO: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that the President of the East Tanjore District Board sent a memorandum to all the rural subsidized medical practitioners that they should inform the Government of their willingness or otherwise to serve on any one of the conditions, i.e.,

(1) whether they are willing to accept half the present subsidy;

(2) whether they are willing to accept the medicines to the value of Rs. 360 a year without subsidy; and

(3) whether they agree to practise without subsidy or medicine with the help of a Government subsidized midwife;

(b) whether it is a fact that this information was called for by the Government on the representation of the president of the board that there are rural practitioners willing to work without subsidy; and

(c) whether the Government have asked the presidents of other district boards to call for similar information?

THE HON. DR. T. S. S. RAJAN:—" (a) The Government have no information; presumably the memorandum was issued with reference to a memorandum sent by Government to all presidents of district boards asking for information on the points referred to in sub-clauses (1) to (3) of this clause.

" (b) The information was called for as a result of the correspondence between the District Medical Officer, Ramnad, and the Surgeon-General regarding the appointment of an honorary medical officer to one of the rural dispensaries under the North Ramnad District Board.

" (c) The answer is in the affirmative."

Alleged maladministration of the Anandaraya Choultry Charities at Virinchipuram.

* 363 Q.—SRI V. M. RAMASWAMI MUDALIYAR: Will the Hon. the Minister for Public Health be pleased to state whether a mahazar was sent to him and to the Collector of North Arcot district by the residents of Virinchipuram (North Arcot district) with regard to the maladministration of the charities of Anandaraya Choultry at Virinchipuram, and if so, what action has been taken in the matter?

THE HON. DR. T. S. S. RAJAN:—" The date on which the mahazar was sent has not been stated. No mahazar has been recently received by the Government."

Deputation of Excise Sub-Inspectors from Waltair to the Prime Minister in re *their discharge from service.*

* 364 Q.—SRI G. KRISHNA RAO: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) whether any deputation of Excise Sub-Inspectors from the Waltair subdivision waited upon the Prime Minister representing that they were thrown out of employment; and

(b) if so, what reply the Government gave them?

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SRI N. S. VARADACHARIAR (Parliamentary Secretary) on behalf of the Hon. Sri V. I. Muniswami Pillai:—"(a) Yes.

"(b) The matter is engaging the attention of the Government."

SRI G. KRISHNA RAO:—"Would the Government stop the recruitment of candidates to the posts in the Police, Registration, and other Revenue departments till the absorption of these subordinate officers of the Excise department?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"I should like the hon. Member to put down a question in the name of the Minister in charge of the Police."

Establishment of the Tanur Experimental (Fisheries) Station.

* 365 Q.—SRI K. V. R. SWAMI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) the officers at Tanur Experimental (Fisheries) Station;

(b) their pay and qualifications;

(c) whether the question of retention of this station has been considered by Government; and

(d) with what result?

SRI N. S. VARADACHARIAR (Parliamentary Secretary) on behalf of the Hon. Sri V. I. Muniswami Pillai:—"(a) A Research Assistant is in charge of the station.

"(b) His pay is Rs. 75. He is a B.Sc. (Honours) in Bio-Chemistry and was for two years a Research student in the University Bio-Chemistry Laboratory.

"(c) Yes.

"(d) It has been decided to transfer the Assistant with his work to the Biological Station at West Hill."

Petitions for disreservation of the reserve forest at Owk in Kurnool district.

* 366 Q.—K. ABDUR RAHMAN KHAN SAHIB BAHADUR: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) the total extent of the Owk reserved forest in Kurnool district;

(b) the net income to the Government from the said forest;

(c) whether any petitions were received from the people of Owk for disreserving it; and

(d) if the answer to (c) be in the affirmative, the action taken on those petitions?

SRI N. S. VARADACHARIAR (Parliamentary Secretary) on behalf of the Hon. Sri V. I. Muniswami Pillai:—" (a) 35,000 acres.

" (b) About Rs. 1,500 per annum.

" (c) The answer is in the negative.

" (d) Does not arise."

Sale of elephants at the Nilambur forest.

* 367 Q.—KHAN BAHADUR P. M. ATTAKOYA THANGAL SAHIB BAHADUR: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) how many Government elephants were sold from Nilambur during the month of September 1938;

(b) what the total amount realized by that sale is;

(c) whether all those elephants were captured from Government forests; and

(d) how many tamed elephants are maintained by the Forest department in this Presidency and how many of them are utilized in Malabar forests?

SRI N. S. VARADACHARIAR (Parliamentary Secretary) on behalf of the Hon. Sri V. I. Muniswami Pillai:—" (a) 25.

" (b) Rs. 20,315 were realized by the sale of elephants.

" (c) Yes, except one born in captivity.

" (d) A hundred elephants, including 3 calves, are maintained by the department; of these 78 elephants are utilized in Malabar forests."

SRI P. R. K. SARMA:—" May I know what it costs to the Government to maintain an elephant? "

SRI N. S. VARADACHARIAR:—" A separate question might be put about that."

Receipts on account of the sale of timber from the forests in Malabar.

* 368 Q.—KHAN BAHADUR P. M. ATTAKOYA THANGAL SAHIB BAHADUR: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state what the total amount realized by the sale of timber from Malabar forests during the year 1938 is?

SRI N. S. VARADACHARIAR (Parliamentary Secretary) on behalf of the Hon. Sri V. I. Muniswami Pillai:—" The total revenue realized in 1937–38 was Rs. 9,35,723."

BASHEER AHMED SAYEED SAHIB BAHADUR:—" May I ask, Sir, how this compares with the total realized during the last year? "

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SRI N. S. VARADACHARIAR:—" My recollection is that it is more than the previous year's. The exact figure will be given if a separate question is put."

Measures for the relief of the educated unemployed.

* 369 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Industries and Labour be pleased to state—

(*a*) whether the Government have arrived at any decision with regard to the problem of helping the educated unemployed; and

(*b*) if so, what the same is?

SRI A. KALESWARA RAO (Parliamentary Secretary) on behalf of the Hon. Sri V. V. Giri:—" (*a*) & (*b*) The matter is still under the consideration of Government."

Qualifications and conditions of service of the staff engaged in imparting technical education to the prisoners.

* 370 *Q.*—SRI P. R. K. SARMA: Will the Hon. the Minister for Administration Reports and Public Information be pleased to state—

(*a*) whether there are schools in the jails which impart technical education to the prisoners in this Presidency and, if so, how many such schools there are in the prisons;

(*b*) whether the teachers or instructors employed in these schools are qualified technically and educationally for service and, if so, how many of them are so qualified and how many of them are not so qualified;

(*c*) whether these teachers and instructors are permanent or temporary, and if temporary, what their length of service is and why they are not regarded as permanent; and

(*d*) whether the Government will consider the desirability and necessity of confirming the said staff so that they might secure the benefits of permanent employment?

THE HON. SRI S. RAMANATHAN:—" (*a*) There is a school in the Penitentiary, Madras, in which training is imparted to the prisoners in carpentry.

" (*b*) The answer to the first part of the question is that only persons who possess the qualifications prescribed by the Government are appointed as teachers or instructors. For a statement of the qualifications of the present teachers, the hon. Member is referred to page 38 of the Half yearly List of Non-Gazetted Officers of the Jail Department corrected up to 30th June 1938.

" (*c*) The four carpentry instructors in the Penitentiary, Madras, are temporary. As regards their length of service, the hon. Member is referred to the Half-yearly List of Non-Gazetted

Officers of the Jail Department. The posts held by these instructors were first sanctioned on a temporary basis for a period of one year and the sanction has been renewed from year to year.

" (d) The suggestion will be considered."

SRI P. R. K. SARMA:—" May I know Sir, whether the so called temporary employees will be admitted to the privileges available to permanent employees in view of the fact that the work they are required to do is of a permanent character?"

THE HON. SRI S. RAMANATHAN:—" The suggestion has already been made, and it was answered that the question of the appointments being made permanent will be considered."

SRI P. R. K. SARMA:—" May I bring it to the notice of the Government that the work they are doing is of a permanent nature?"

THE HON. SRI S. RAMANATHAN:—" The work may be permanent, but the appointment is temporary."

Proposals for the abolition of the Sub-Court at Vellore.

* 371 *Q.*—SRI B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Minister for Administration Reports and Public Information be pleased to state—

(*a*) whether it is a fact that the Government have decided to close the Sub-Court at Vellore;

(*b*) if so, from what date; and

(*c*) whether there are any proposals to abolish any more Sub-Courts in the Presidency?

THE HON. SRI S. RAMANATHAN:—" (*a*) & (*b*) The question is under consideration.

" (*c*) The answer is in the affirmative."

Savings anticipated on account of the abolition of certain courts.

* 372 *Q.*—SRI B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Minister for Administration Reports and Public Information be pleased to state the total amount of savings expected by the Government by the abolition of District Munsif's Courts and Sub-Courts in this Presidency?

THE HON. SRI S. RAMANATHAN:—" As no final decision has yet been reached in regard to the courts to be abolished, it is not possible to give any information as regards savings."

SRI B. BAKTHAVATHSALU NAYUDU:—" May I know whether it is proposed to come to a decision before the close of this financial year?"

THE HON. SRI S. RAMANATHAN:—" No, Sir."

Control of Cinematographs.

* 373 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Administration Reports and Public Information be pleased to state—

(*a*) whether there is any control exercised by the Government over the Cinemas, in respect of pictures selected; and

(*b*) if so, what the nature of the control is and how the same is exercised?

The Hon. Sri S. RAMANATHAN:—" (*a*) & (*b*) The Government exercise no direct control over the cinemas in respect of the film selected by them for public exhibition. For a film to be exhibited, it should have been first certified as suitable for public exhibition by a Board of Film Censors appointed by the Government. The Government can also uncertify a film, if in their opinion the film is objectionable."

Sri P. R. K. SARMA:—" May I know who is the authority that selects the individual members of the Board of Film Censors? "

The Hon. Sri S. RAMANATHAN:—" Government, Sir."

Sri P. R. K. SARMA:—" Is it the Police Commissioner who actually makes the selection of members for this Board? "

The Hon. Sri S. RAMANATHAN:—" I suppose my answer is understood, Sir. It is the 'Government'."

Training to the jail staff.

* 374 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Administration Reports and Public Information be pleased to state—

(*a*) whether the Government have considered the question of giving special training to the jail staff, specially with regard to their behaviour towards the prisoners; and

(*b*) if so, what the result is?

The Hon. Sri S. RAMANATHAN:—" (*a*) The question is still under consideration.

" (*b*) The question does not arise."

Provision of the benefits of provident fund or gratuity to sweepers and scavengers in the service of municipalities and panchayats.

* 375 *Q.*—K. ABDUR RAHMAN KHAN SAHIB Bahadur: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) whether the Government are considering any proposal for making arrangements for Provident Fund or gratuity benefits to sweepers and scavengers in the various municipalities and panchayats; and

(b) if the answer to (a) be in the negative, whether the Government contemplate taking up this question at all?

THE HON. SRI B. GOPALA REDDI:—" (a) Sweepers and scavengers employed under local bodies are not eligible to the benefits of gratuity as they are paid from contingencies. Local bodies may, however, pay them gratuity, with the special sanction of Government in cases where the servants have to their credit a total service of not less than twenty years. These servants are not also eligible to subscribe to provident fund for, under the provident fund rules only employees in superior service are eligible so to subscribe.

" (b) Government do not propose to take up now the question of the admission of these servants to provident fund."

SRI P. R. K. SARMA:—" May I know whether the Government are not considering the necessity of admitting these employees to the benefits of the provident fund? "

THE HON. SRI B. GOPALA REDDI:—" It is not a question of considering the necessity or otherwise, but it is a question of finance."

SRI P. R. K. SARMA:—" May I bring to the notice of the Government that it is the low-paid staff who have to be provided with provident fund facilities in preference to the well paid superior staff? "

THE HON. SRI B. GOPALA REDDI:—" As I said before, it all depends on the local bodies' finances, and the Government are unable to take up this question now."

SRI P. R. K. SARMA:—" May I know, Sir, why the Government do not provide this facility for their menial staff? "

THE HON. SRI B. GOPALA REDDI:—" I think it is a question of opinion."

Appointment of Muslims in the cadre of Municipal Commissioners and District Panchayat Officers.

* 376 *Q.*—KHAN BAHADUR P. M. ATTAKOYA THANGAL SAHIB BAHADUR: Will the Hon. the Minister for Local Administration be pleased to state—

(a) how many Municipal Commissioners and District Panchayat Officers have been appointed in this Presidency during the period between 15th July 1937 and 30th September 1938;

(b) how many of them are Muslims; and

(c) whether such appointments are made on communal basis?

THE HON. SRI B. GOPALA REDDI:—" (a) During the period from 15th July 1937 to 30th September 1938, seventeen persons were newly appointed as Commissioners and one as District Panchayat Officer. The latter's services have since been dispensed with for want of a vacancy.

"(b) Two of the Commissioners were Muhammadans. The District Panchayat Officer was not a Muhammadan.

"(c) The communal principle has not been followed in regard to these appointments. Government, however, have always kept in view the representation of minorities such as Muhammadans, Indian Christians and the Scheduled classes in making these appointments."

SRI J. SIVASHANMUGAM PILLAI:—"May I know how many members of the Scheduled classes were appointed as Commissioners and Panchayat Officers?"

THE HON. SRI B. GOPALA REDDI:—"One as Commissioner and another as Panchayat Officer were appointed."

SRI B. BHAKTHAVATHSALU NAYUDU:—"How many are non-Brahmans and how many are Brahmans?"

THE HON. SRI B. GOPALA REDDI:—"Notice."

Proposals for the introduction of adult franchise in the elections to local boards and municipalities.

* 377 *Q.*—SRI V. VENKATASUBBAYYA: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the Government propose to introduce adult franchise in municipalities and local boards; and

(b) if so, in what districts the proposal is to be given effect to in the first instance?

THE HON. SRI B. GOPALA REDDI:—"(a) The answer is in the negative.

"(b) The question does not arise."

Progress of the scheme for the construction of a bridge across the Godavari at Alamur.

* 378 *Q.*—SRI KALA VENKATA RAO: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether a bridge across the Godavari river at Alamur was sanctioned in the Vipan scheme;

(b) whether the Railway Department, the Board of Communications, Madras Presidency, and the Government of India agreed to the construction of the bridge;

(c) whether two years have elapsed since the scheme was approved by the India Government; and

(d) the stage at which the estimates are and when the works can be expected to be started?

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THE HON. SRI B. GOPALA REDDI:—" (*a*) The scheme was recommended by Mr. Vipan in his report.

" (*b*) The Madras and Southern Mahratta Railway and the Board of Communications agreed to the proposal. In view of the limited funds available, this Government decided to restrict the work to one of the branches of the Godavari and this was provisionally agreed to by the Government of India.

" (*c*) The sanction of the Government of India was received in April 1937.

" (*d*) The estimates have not yet been prepared. A special District Board Engineer has recently been appointed to expedite the investigation of the scheme and preparation of the estimates. It is not possible to say at present when work can be started."

SRI KALA VENKATA RAO:—" Is the Hon. Minister aware of the steamer disaster that had occurred recently in the Godavari river?"

THE HON. SRI B. GOPALA REDDI:—" I am aware of a press report."

SRI KALA VENKATA RAO:—" In view of that unfortunate happening will the Hon. Minister expedite the construction of the bridge?"

THE HON. SRI B. GOPALA REDDI:—" We are taking all the necessary action in the matter."

Fixation of pay under the new revised scale of the Sub-Assistant Surgeons retrenched from service on the formation of the Orissa Province but re-entertained subsequently.

* 378-A *Q.*—DR. M. J. SAMUEL: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) whether it is a fact that ten Sub-Assistant Surgeons were retrenched due to the formation of the Orissa Province; and

(*b*) whether it is a fact that they were re-entertained and started on the initial pay under the new rules without condoning the break of service on re-entertainment as was done on similar occasions previously?

THE HON. DR. T. S. S. RAJAN:—" (*a*) The answer is in the affirmative.

" (*b*) The Sub-Assistant Surgeons were, on re-entertainment, allowed the minimum in the new scales of pay as they were entitled to this pay only. They had no substantive appointments before they were discharged. The request for condonation of break in service was not complied with as no such concession was shown to persons discharged from service in connexion with the recent general retrenchment."

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DR. M. J. SAMUEL:—" May I know, Sir, whether the Government would be pleased to consider giving them the benefit of their past services on the new scales, because retrenchment was due to a political change? "

THE HON. DR. T. S. S. RAJAN:—" The Government have considered the whole question more than once in individual cases also and they have come to a decision that they cannot restore the concession as if they were old incumbents."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" May I know whether their past services are included in the period of their service? "

THE HON. DR. T. S. S. RAJAN:—" No, Sir."

UNSTARRED QUESTIONS

Membership of Government employees in registered trade unions.

112 *Q*.—SRI P. R. K. SARMA: Will the Hon. the Minister for Industries and Labour be pleased to state—

(*a*) who the Government workers are who are not allowed to become members of registered trade unions and what the reasons for such restrictions are;

(*b*) who the Government employees are who are entitled to become members of registered trade unions; and

(*c*) what the restrictions and conditions imposed upon such registered trade unions of Government employees are?

A.—(*a*), (*b*) & (*c*) It is open to industrial employees of Government to become members of registered trade unions. A copy[a] of the orders recently issued by Government as a result of an examination of the applicability of the Government Servants' Conduct Rules to such employees is laid on the table of the House. The rules subject to which Government are prepared to recognize association of industrial employees under them were issued in G.O. No. 1820 L., dated 20th August 1934. A copy[a] of the order also is laid on the table of the House.

Measures adopted for the improvement of the production of sandalwood in this province and the quantity produced during the last twenty years, yearwar.

113 *Q*.—SRI K. V. R. SWAMI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) what steps, if any, are taken for improving the production of sandalwood in this province; and

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[a] Printed as Appendix IV on pages 483—487 infra.

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(*b*) the quantities produced during each of the last twenty years?

A.—(*a*) Sandalwood regenerates itself naturally with great profusion. It is also being artificially introduced by the following methods:—

(1) Planting in small scattered propagation centres in forests where it is not common but where the climate and soil are favourable.

(2) planting along lines cleared at intervals through the natural forest in suitable localities where it is not common;

(3) forming definite plantations; and

(4) dibbling seed under suitable hosts.

With a view to promoting the growth of existing sandal trees and improving the chances of good natural regeneration tending of sandal by freeing the crowns to admit sufficient light and to relieve them from suppression from other growth, is also being undertaken where it is necessary.

Investigation into the causes of 'spike' disease is being carried on by a Ranger specially employed for the purpose under the direction of the Provincial Silviculturist and with the help and advice of the Imperial Entomologist at Dehra Dun.

(*b*) Exact details of quantities of sandalwood produced every year during the past 20 years are not available, but quantities sold in each of the years from 1918–19 to 1937–38 are given below—

	Quantity of sandalwood sold.
	TONS.
1918–19	432
1919–20	497
1920–21	418
1921–22	521
1922–23	468
1923–24	710
1924–25	703
1925–26	641
1926–27	724
1927–28	677
1928–29	566
1929–30	707
1930–31	564
1931–32	672
1932–33	648

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	Quantity of sandalwood sold.
	TONS.
1933–34	511
1934–35	603
1935–36	716
1936–37	896
1937–38	1,215

Repairs to tanks in the East Godavari district.

114 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) the number of major and minor tanks in the East Godavari district taluk-war;

(*b*) what the amount spent on those tanks was in each of the last five years;

(*c*) the number of tanks abandoned taluk-war; and

(*d*) whether any irrigation schemes are proposed to be taken up in the near future in this district?

A.—(*a*)

Taluk.	Number of tanks in charge of Public Works Department.	Number of tanks in charge of Revenue Department.
Polavaram	11	56
Bhadrachalam	1	18
Rajahmundry	27	433
Peddapuram	16	351
Ramachandrapuram	2	47
Nugur	..	19
Cocanada	..	26
Chodavaram	..	6
Yellavaram	..	112

(*b*)—

—	Amount spent on tanks in charge of Public Works Department.	Amount spent on tanks in charge of Revenue Department.
	RS.	RS.
1933–34	34,300	63,787
1934–35	37,352	74,894
1935–36	19,453	77,708
1936–37	12,346	59,451
1937–38	16,874	49,946

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(c) Thirteen tanks in Peddapur taluk in charge of Revenue department were abandoned.

(d) The Godavari Central Delta pumping scheme and the Coringa Island project are being investigated. The Torigedda scheme is under consideration.

Expenditure incurred on account of famine relief in the Ceded districts last year and this year.

115 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) the amount spent on famine relief in the Ceded districts last year; and

(*b*) the amount spent on the same during the present year till now?

A.—(*a*) & (*b*) The expenditure incurred on famine-relief operations during the official year 1937–38 in the Bellary, Anantapur and Kurnool districts was Rs. 3,00,701.

The expenditure incurred and estimated to be incurred from April to November 1938 is Rs. 19,71,840.

These amounts do not include—

(1) grants made to district boards for expansion of the ordinary works,

(2) amounts spent on medical relief and sanitation at the famine camps, and

(3) expenditure incurred on fodder operations.

Systems of treatment in vogue for the mental defectives.

116 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) whether there are any places in this province where treatment is given to mental defectives under any other system than the allopathic system; and

(*b*) if so, what those places are?

A.—(*a*) & (*b*) It is understood that private practitioners undertake the treatment of mental defectives in private homes in the following places:—

(1) Chembarai, Pallipuram railway station, South Malabar.

(2) Malappuram, South Malabar.

(3) Kottakkal, Tirur station.

It is also understood that the Kerala Samaj Hospital, Shoranur, South Malabar, undertakes treatment of these patients as private cases.

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Number of Andhras admitted into the Medical Colleges at Madras.

117 *Q.*—SRI GRANDHI VENKATA REDDI: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) what the total number was of applications for admission to all the medical institutions in this province this year and last year; and

(*b*) how many Andhras have been provided seats in the two medical colleges at Madras during the same period?

A.—(*a*) Three hundred and thirty-two applications in 1937 and 307 in 1938.

(*b*) There was only one Medical College at Madras during 1937. The number of Andhras selected for admission to the Medical College, Madras, was 16 in 1937 and the number selected for admission to the two colleges in Madras during 1938 was 6. The decrease is due to the fact that out of a total of 88 candidates from the Telugu districts who applied for admission, 48 were selected for the Vizagapatam Medical College, 6 for the Medical Colleges at Madras and the remaining 34 were not selected as they were all Brahmans.

Proposals for the introduction of the honorary system in the King George Hospital and the Medical College, Vizagapatam.

118 *Q.*—SRI GRANDHI VENKATA REDDI: Will the Hon the Minister for Public Health be pleased to state whether it is a fact that the honorary system is going to be introduced in the King George Hospital and the Medical College, Vizagapatam?

A.—The scheme for the appointment of honorary medical officers applies to these two institutions. The question of filling up paid posts in the institutions, by appointing honorary officers will be considered as and when vacancies arise.

Progress of the construction of the Out-patient department of the King George Hospital, Vizagapatam.

119 *Q.*—SRI GRANDHI VENKATA REDDI: Will the Hon. the Minister for Public Works be pleased to state when the construction of the present Out-patient department of the King George Hospital, Vizagapatam, will be finished?

A.—The construction work was commenced on the 10th October 1938. The work will, it is expected, be completed in about 18 months from that date.

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Number and names of village officers dismissed in 1921, but reinstated since.

120 *Q.*—SRI KALA VENKATA RAO: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether the village officers dismissed in 1921 have been reinstated;

(*b*) if so, how many; and

(*c*) whether he will please furnish the House with the names of the reinstated persons?

A.—(*a*), (*b*) & (*c*) The attention of the hon. Member is invited to the following notifications published in the *Fort St. George Gazette*:—

(1) Revenue Department Notification No. 835, dated 16th September 1938, at pages 1482–83 of Part I of the *Fort St. George Gazette,* dated 18th October 1938.

(2) Revenue Department Notification No. 903, dated 29th October 1938, at page 1558 of Part I of the *Fort St. George Gazette*, dated 1st November 1938.

(3) Revenue Department Notification No. 947, dated 18th November 1938, at page 1637 of Part I of the *Fort St. George Gazette*, dated 22nd November 1938.

Representations regarding the construction of a reservoir in the Upper Godavari region.

121 *Q.*—SRI KALA VENKATA RAO: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether the non-official Economic Conference of East Godavari has requested the Government to reconsider the question of constructing a reservoir in the Upper Godavari region; and

(*b*) whether the Government have complied with or rejected the request?

A.—(*a*) The answer is in the affirmative.

(*b*) The proposal is being re-examined by the Chief Engineer for Irrigation.

Reamalgamation of the "Group III" District Boards.

122 *Q.*—SRI KALA VENKATA RAO: Will the Hon. the Minister for Local Administration be pleased to state when the Government propose to reamalgamate the bifurcated District Boards falling under Group III in the Schedule to Madras Act XIII of 1935?

A.—The bifurcated districts falling under Group III of the schedule to Madras Act XIII of 1935 have since been amalgamated.

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Progress of the Tank Restoration Scheme Work in the Pachiar River section of the Tinnevelly Minor Basin.

123 *Q.*—SRIMATHI V. LAKSHMI AMMAL: Will the Hon. the Minister for Public Works be pleased to state, in reference to the Tank Restoration Scheme Work in the Pachiar River section of the Tinnevelly Minor Basin, in the Tinnevelly district—

(*a*) the names of the works for which estimates were prepared by the Tank Restoration Scheme Party along with the amount of the estimate and the nature of the improvement or repair, provided for in the estimate;

(*b*) whether any and, if so, which of these works has been sanctioned and if they have not been sanctioned, the reasons for the same;

(*c*) whether any and, if so, which of these works has been executed; and

(*d*) the names of the Irrigation Works for which estimates have not been prepared and which have not been investigated by the Tank Restoration Scheme Party?

A.—(*a*) *to* (*d*) Attention is invited to the answer given to Question No. 714 at the meeting of the Legislative Council, dated the 20th March 1933, which contains full information in regard to the Tank Restoration Scheme Works in the Tinnevelly district. Later information is not available with the Government. Recently, on a representation from the landholders under the Pachiar river system in the Tinnevelly and Nanguneri taluks, the Government have asked the Chief Engineer (Irrigation) to attend to such items of work as can be carried out by the ordinary staff as early as possible.

Communal representation on the establishment of the Chief Engineers' Offices.

124 *Q.*—ABDUL HAMEED KHAN SAHIB BAHADUR: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) how many Managers, Superintendents and clerks are working in the Offices of the Chief Engineer for Electricity, Chief Engineer for Roads and Buildings, Chief Engineer for Irrigation and the Sanitary Engineer to Government in the Public Works Department at Chepauk; and

(*b*) how many among the present incumbents in each of these cadres in each of these offices are Muslims, and how many are Brahmans, Non-Brahman Hindus, Christians and Harijans?

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A.—(*a*) The information required is given in the following statement:—

Office	Number of Manager.	Number of Superintendents.	Number of Clerks.
Chief Engineer for Electricity ..	1	3	24
Chief Engineer (General, Buildings and Roads)	1	5	39
Chief Engineer for Irrigation ..	1	3	26
Sanitary Engineer	1	..	16

(*b*) The information is contained in the following tabular statement:—

Community.	Office of the Chief Engineer for Electricity.			Office of the Chief Engineer (General, Buildings and Roads).		
	Manager.	Superintendents.	Clerks.	Manager.	Superintendents.	Clerks.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Muslims ..	..	..	..	..	..	1
Brahmans ..	1	3	10	1	4	21
Non-Brahman Hindus ..	..	..	9	..	1	15
Christians ..	..	..	5	..	..	2
Harijans ..	..	..	..	..	..	..

Community.	Office of the Chief Engineer for Irrigation.			Office of the Sanitary Engineer.		
	Manager.	Superintendents.	Clerks.	Manager.	Superintendents.	Clerks.
	(8)	(9)	(10)	(11)	(12)	(13)
Muslims ..	..	..	2	..	..	..
Brahmans ..	1	2	11	..	..	9
Non-Brahman Hindus ..	..	1	9	..	..	6
Christians ..	..	..	4	1	..	1
Harijans ..	..	..	..	..	..	..

Purchase of wool for the Central Jail, Bellary.

125 *Q.*—Sri H. SITARAMA REDDI: Will the Hon. the Minister for Administration Reports and Public Information be pleased to state—

(*a*) the cost of wool purchased every year for the manufacture of woollen yarn for kambli weaving in the Central Jail, Bellary;

(*b*) the amount of travelling allowance drawn by the Committee that is appointed by the Government for the purchase and utilization of wool for the Central Jail, Bellary; and

(*c*) whether the system of purchase of wool for the use of the above jail is different from the system followed for the purchase of rations and other things?

A.—(*a*) Figures have been obtained for the three years ending 1937–38 and they are as follows:—

		RS.
November 1935 to October 1936	...	10,743
November 1936 to October 1937	...	16,358
November 1937 to October 1938	...	30,102

(*b*) The Committee was constituted in April 1937. A sum of Rs. 1,038 has been drawn as travelling allowance between August 1937 (when the Committee first met) and October 1938.

(*c*) The answer is in the negative.

Purchase of wool for the Central Jail, Bellary, at the tender rate of 1937–38.

126 *Q.*—Sri H. SITARAMA REDDI: Will the Hon. the Minister for Administration Reports and Public Information be pleased to state—

(*a*) what the number of kamblies ordered for purchase by the Police department from the Central Jail, Bellary, for the year 1937–38 and 1938–39 is;

(*b*) whether it is a fact that to meet the demand of the above order a large quantity of wool was bought at the tender rate of 1937–38 which is much higher than the rate for 1938–39; and

(*c*) whether it is a fact that the quantity of wool brought is enough to spin till January 1939?

A.—(*a*) 3,078 in 1937–38 and 6,349 in 1938–39.

(*b*) The contract period for wool extends from August of one year to July of the next year. The rates for grey wool for 1937–38 and 1938–39 were Rs. 8–12–0 and Rs. 7 per maund, respectively. Orders for 6,140 blankets were received between 25th March 1938 and 27th April 1938 and to comply with them, 39,356 lb. of cut grey wool were purchased in June 1938 at the rate for 1937–38. It was not possible in June 1938 to foresee that the rates might be more favourable in August 1938.

(*c*) The quantity would in the normal course have lasted until the end of November 1938 but as the machinery was under repair for a time, the stock is expected to last until January 1939.

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Repairs to the irrigation tank of Periakulam in Vayali village, Sankarankoil taluk.

127 *Q.*—SRI K. P. YEGNESWARA SARMA: Will the Hon. the Minister for Public Works be pleased to state in reference to the ayan abandoned irrigation tank of Periakulam in Vayali village, Sankarankoil taluk, Tinnevelly district—

(*a*) whether the ryots of Vayali village have petitioned the local authorities from time to time for the reconstruction of the tank;

(*b*) whether the question of reconstruction has been investigated and if so, what the result of the same is; and

(*c*) whether any, and if so what, steps have been taken on the petitions?

A.—(*a*) The answer is in the affirmative.

(*b*) & (*c*) The proposal is under the consideration of the local officers.

Alleged offending article against the Holy Prophet in the "Vinodha Bharata," dated the 17th August 1938.

128 *Q.*—KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether the executive committee of the Crescent Club, Mangalore, and the Managing Committee of the Anjumani Hido-Zatul Islam, Mangalore, have sent copies of their resolutions to the Premier condemning and protesting against the remarks about the Holy Prophet contained in an article in the issue of "Vinodha Bharata" of 17th August 1938; and

(*b*) if so, what action the Government have taken or propose to take in the matter?

A.—(*a*) & (*b*) The issue of '*Vinoda Bharata,*' dated 17th August 1938, contains a story entitled "Abhagini (unfortunate) Vimale" in which a Muslim youth gives vent to his feelings in the course of which there is a reference to the Prophet which, the Government think, should not have been made. The Government feel, however, that it is not possible to make out any mischievous intention behind it or to hold that there is enough ground for any proceedings.

List of Hindu Religious Endowments wholly or partially excluded from the operation of the Hindu Religious Endowments Act (Act II of 1927).

129 *Q.*—H. S. HUSSAIN SAHIB BAHADUR: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) the names of Hindu Religious Endowments in the Province of Madras which have been wholly and partially exempted from the operation of the Hindu Religious Endowments Act (II of 1927);

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(*b*) the reasons for such exemption, if any;

(*c*) whether any other institutions are proposed to be exempted; and

(*d*) whether the Government propose to cancel any such exemption now in vogue?

A.—(*a*) A list[a] is placed on the table of the House.

(*b*) It is not possible to assign the reasons in a compact form. Each case of exemption depends on the special facts of the case.

(*c*) No proposals are under consideration.

(*d*) The question is under examination.

Details of the famine relief operations in the Kurnool district till 31st May 1938.

130 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) what the exact amount is that was spent till 31st May 1938 for famine relief in Kurnool district;

(*b*) the amount spent under establishment charges, and the amount given to the famine-stricken people (the labourers);

(*c*) the total amount that was given in the shape of remission in Kurnool district, the names of villages that were given full remission and half remission respectively;

(*d*) what the estimated value is of the work turned out by famine-stricken labourers; and

(*e*) what the aid is that was given by Government to private agencies which started spinning and weaving as famine relief works in Kurnool district?

A.—(*a*) Figures of the exact expenditure incurred up to the end of May 1938 on famine relief operations in the Kurnool district are not yet available. The expenditure was approximately Rs. 62,500.

(*b*) Up to the end of May 1938 the expenditure incurred was as follows:—

	RS.
Amount spent under establishment charges ...	2,699
Amount distributed as wages and allowances.	42,409

(*c*) It is presumed that the hon. Member refers to dry remissions sanctioned by the Government.

The amount involved in such remissions granted for the Kurnool district was Rs. 2,13,196–8–0.

A list[b] of villages for which full dry remission and half dry remission were sanctioned is appended.

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[a] Printed as Appendix V on pages 488–492 infra.

[b] Printed as Appendix VI on page 493 infra.

(*d*) The information is not available.

(*e*) The Government are not aware that any private agency started spinning and weaving as famine relief measures in the Kurnool District.

Proposal for opening a girls' high school in Kurnool town.

131 *Q.*—SRI S. NAGAPPA: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) the number of girl pupils from Kurnool district studying in Bezwada, Bellary, and in some other places where there are high schools for girls, and the number of girls studying in Kurnool town itself, schoolwar; and

(*b*) whether the Government will be pleased to consider the desirability of opening a girls' high school in Kurnool town?

A.—(*a*) The Government have no information.

(*b*) There is a Middle School for Girls at Kurnool, maintained by Government. The question of opening high school classes in it was considered recently but had to be dropped on financial grounds.

Construction of a new building for the Municipal High School, Kurnool.

132 *Q.*—SRI S. NAGAPPA: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether it is a fact that pupils seeking admission into the Municipal High School, Kurnool, are rejected on the ground that there is no accommodation; and

(*b*) whether the Government will be pleased to consider the desirability of constructing a new building?

A.—(*a*) The Government have no information.

(*b*) The matter is one for consideration by the municipal council in the first instance.

Employment of subordinates (menials) as domestic servants.

133 *Q.*—SRI S. NAGAPPA: Will the Hon. the Prime Minister be pleased to state—

(*a*) what steps the Government have taken or propose to take to prohibit menial subordinates from being used for domestic service;

(*b*) whether it is a fact that the Chief Conservator of Forests has issued a circular No. 304, dated 20th September 1937, to Conservators and Forest Officers, prohibiting subordinates from being used as domestic servants;

(c) whether it is a fact that a large number of Police constables and office peons in Kurnool district possess driving licences granted to them temporarily; and

(d) if so, whose cars they are driving?

A.—(a) The attention of the hon. Member is invited to the answer given to Starred Question No. 208 asked by Sri K. R. Karant at the meeting of the Legislative Assembly on 29th November 1938.

(b) The Government have no information at hand.

(c) & (d) The Government have no information on the point. If specific instances can be cited, the Government will inquire into the matter.

Penal assessment for unauthorized cultivation of poramboke lands in Kurnool district.

134 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Revenue be pleased to state—

(a) the amount of revenue collected this year in the whole presidency and particularly in the Kurnool district—talukwar—in the shape of penalty for unauthorized cultivation of poramboke lands even though the same cultivators have been cultivating the same lands for over twelve years; and

(b) the names of persons from whom such penalty was collected, the community to which they belong and the amount that was collected from them in the shape of penalty talukwar in the Kurnool district?

A.—(a) & (b) The Government have no information.

Application of certain Harijan families for the assignment of a piece of land in Edurur village, Kurnool taluk.

135 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether it is a fact that about hundred Harijan families have applied for a piece of land in S. No. 126 of Cheruvuporamboke of Edurur village, Kurnool taluk;

(b) if so, when they applied; and

(c) what the Government propose to do in the matter?

A.—(a), (b) & (c) No such application has been received by the Government.

Repairs and improvements to the Thimmaraju tank in East Godavari.

136 Q.—SRI K. V. R. SWAMI: Will the Hon. the Minister for Public Works be pleased to state—

(a) the revenue derived from lands irrigated by the Thimmaraju tank, Peddapur taluk, East Godavari, in each of the last thirty years;

(b) the years in which remission was granted during the last thirty years;

(c) how much in each such year; and

(d) the amounts spent on repairs and improvements to the said tank during the same period, when and how much?

A.—(a) to (d) The Government have no information

Number of tanks in the Ceded districts repaired during the famine relief operations.

137 Q.—Sri K. V. R. SWAMI: Will the Hon. the Minister for Revenue be pleased to state—

(a) how many of the tanks in the Ceded districts which were expected to be repaired during famine have been repaired; and

(b) at what cost?

A.—(a) & (b) No information is available as to the number of irrigation works which were included in the famine relief programmes of the Ceded Districts. Silt clearance in a tank was, however, sanctioned as a part of a relief work in the Bellary district in connexion with the recent famine relief operations.

The expenditure incurred on that work has not yet been reported.

Vacancies in the Revenue department filled by persons reverted from service by the Government of Orissa.

138 Q.—Sri K. V. R. SWAMI: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether it is a fact that all posts in the Revenue department have been kept vacant for the last few years with a view to provide appointments to those that may be sent back from Orissa Province;

(b) how many of such officers and men came back from that province;

(c) whether they have been distributed equally among the districts; and

(d) if so, how many for each district?

A.—(a) In May 1935, the Government ordered that substantive vacancies in certain classes of posts in certain areas in the province should not be filled until further orders in view of the possible reduction of cadres as a result of the transfer of a number of posts to the Orissa Province on its formation. In March 1936, the Government issued orders for the reduction of the cadres of various services in consequence of the transfer of a portion of this province to the new Orissa Province. The number so reduced minus

the number of posts left unfilled on 31st March 1936 were made supernumerary to the cadres in order to provide a lien for officers with substantive appointments in this province transferred to Orissa. These supernumerary posts were ordered to be reduced as and when officers transferred to Orissa were permanently absorbed in the Orissa cadres or when permanent vacancies arose in the Madras cadres. In June 1936, however, the ban on confirmations was removed with effect from 1st April 1936, but the Government ordered that confirmations in the Madras cadres should be made only after the supernumerary posts had been abolished and the lien of permanent officers transferred to Orissa had been transferred to the regular cadres in Madras.

(*b*), (*c*) & (*d*) Information has been called for.

Application of compulsion under the Madras Elementary Education Act to Muslim girls.

139 *Q.*—MRS. KHADIJA YAKUB HASAN: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether Government have received a resolution unanimously passed by the Madras Presidency Muslim Womens' Conference in April last requesting the Government to bring Muslim girls also under the operation of the compulsory primary education scheme in the City of Madras;

(*b*) what action the Government have taken in this matter; and

(*c*) if no action has been taken, whether the Government will be pleased to do so without further delay?

A.—(*a*) The answer is in the affirmative.

(*b*) & (*c*) The Government will bring this matter to the notice of the Corporation of Madras who should come to a decision on this in the first instance.

Appointment of Muslim Sub-Inspectresses of Schools.

140 *Q.*—MRS. KHADIJA YAKUB HASAN: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether there are any Muslim sub-inspectresses of schools; and

(*b*) if the answer is in the negative, whether the Government will be pleased to consider the desirability of appointing a number of Muslim sub-inspectresses of schools in various districts and especially in Malabar in the interest of Muslim girls' education?

A.—(*a*) The answer is in the negative.

(*b*) Yes, when more Muslim lady graduates become available. A Mappilla lady graduate has already been appointed as a school assistant and her transfer as a sub-assistant inspectress is under consideration.

Proposals, if any, for the enhancement of teachers' salaries.

141 *Q.*—MRS. KHADIJA YAKUB HASAN: Will the Hon. the Minister for Education and Legal Departments be pleased to state whether the Government have any proposals under consideration for increasing the salaries of teachers in general and of Muslim women teachers in particular?

A.—There is no such proposal under consideration.

Proposals for the employment of Muslim Hindustani trained teachers in girls' schools.

142 *Q.*—MRS. KHADIJA YAKUB HASAN: Will the Hon. the Minister for Education and Legal Departments be pleased to state whether Government propose to employ Muslim Hindustani trained teachers in girls' schools?

A.—So far as Government secondary schools are concerned, Hindustani is taught only in such schools as do not provide instruction in Urdu: the number of such schools for girls is 20. There is no objection to the employment of Muslim teachers, if qualified candidates are available. Appointments are made by Inspectress of Schools concerned.

Provision of additional Higher Elementary Training Schools for Muslim girls.

143 *Q.*—MRS. KHADIJA YAKUB HASAN: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether Government have received representations from the Madras Presidency Muslim Women's Conference and other Muslim Associations requesting Government to establish more training schools of the higher elementary grade for Muslim girls; and

(*b*) what steps Government have taken or propose to take in this direction?

A.—(*a*) & (*b*) One of the resolutions of the Presidency Muslim Women's Conference urged the opening of more higher elementary training schools for Muslim women. The Government already maintain six training schools for Muslim women and according to the latest quinquennial Report on Public Instruction the number of women teachers undergoing

training in these institutions has suffered a fall from 194 to 138. The Government do not feel that they would be justified in incurring the expenditure necessarily involved in the opening of further schools when the existing facilities are not fully made use of.

Proposals for opening a college for women in Andhradesa.

144 *Q.*—MRS. KHADIJA YAKUB HASAN: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether Government have under their consideration any proposal to open a women's college in Andhradesa; and

(*b*) if so, when this scheme is likely to materialize?

A.—(*a*) & (*b*) A representation on the subject has been received and it is being examined.

Proposals for amending the Madras Agriculturists' Debt Relief Act for the purpose of removing doubts and difficulties found in its operation.

145 *Q.*—H. S. HUSSAIN SAHIB BAHADUR: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state whether in the light of experience of the working of the Madras Agriculturists' Debt Relief Act from its commencement, the Government propose to introduce any amendments to the said Act with a view to remove any doubts or difficulties found in its actual working and if so, when?

A.—The matter is under consideration.

Scheme, if any, for the removal of adult illiteracy in the Province.

146 *Q.*—DR. M. J. SAMUEL: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether the Government have formulated any scheme for removing adult illiteracy in the Province;

(*b*) if so, what the main features of the scheme are; and

(*c*) whether the Government have received any information about the new method of Dr. Laubac of the Philippine Islands where an adult is taught the 3 R's in three months' time?

A.—(*a*) & (*b*) No scheme has been formulated; but the matter is under consideration.

(*c*) The answer is in the negative.

[*Note.*—**An asterisk (*) at the commencement of a speech indicates revision by the Member.**]

II.—THE MALABAR TEMPLE ENTRY BILL, 1938—*cont.*

MR. SPEAKER:—"Discussion on the Malabar Temple Entry Bill will now be resumed."

* RAO BAHADUR SIR A. T. PANNIR SELVAM:—"Before proceeding with the business on the agenda, may I be permitted to say a word or two about the manner in which this House was adjourned yesterday evening . . ."

MR. SPEAKER:—"No, I have already announced that discussion on the Bill will be resumed."

* RAO BAHADUR SIR A. T. PANNIR SELVAM:—"I should like to make a reference to this in view of the unceremonious way in which . . ."

MR. SPEAKER:—"The hon. Member need not make any comment on this. The House has now resumed the discussion on the Malabar Temple Entry Bill."

* RAO BAHADUR SIR A. T. PANNIR SELVAM:—"I will speak on the Bill."

MR. SPEAKER:—"Yes."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"I may at once state that I am wholly in sympathy with the main principle underlying the Bill. It is only natural that one like me, a Christian, should be of opinion that a place of worship, the House of God, should be open to every one, irrespective of caste or birth.

"If supporting the principle of the Bill, I still raised the point of order yesterday, it was not because I wanted to have this measure postponed or in any way delayed or obstructed. I was actuated solely by the desire to see that if this measure, after it is passed in this House as well as in the other House, and after it is assented to by His Excellency the Governor, becomes law, technical objections may not be raised by interested parties in courts of law on the ground that this Bill is *ultra vires* of this Legislature, or that its passing was in contravention of the prescribed procedure.

"I am led to entertain this apprehension, particularly because this Bill refers to Malabar where we have a clear indication of the powerful forces that are arrayed against this Bill, forces that will try to set at nought the object of the Bill if any way be open to them. Petitions have been flowing in, deputations have been waiting on the Government and memorials are being sent up by many persons—persons of influence and persons of wealth. In fact the social head of Malabar, the Zamorin of Calicut himself, opposes this Bill, and it is only to be expected—I do not blame

him or anybody for holding such an opinion, probably they are right in their own way—that they will be waiting for every possible opportunity to delay the Bill by resorting to courts of law; and it is solely on those grounds that I raised the point of order yesterday.

" Now coming to the merits of the Bill, I might say that ever since the Bill of Mr. M. C. Rajah came up for discussion at the last meeting of the Assembly, I have been wondering what the motive or the purpose of the Government could really be in not accepting that Bill, especially when they even then promised us this Bill which is to apply to only one district. If the Government accept the principle that Hindu temples will not be defiled if the so-called untouchables and the depressed classes enter them, why should this measure be confined to Malabar alone? I can understand, as they did in the case of the Prohibition Bill, the Government saying that they are introducing this measure in one part of the Presidency immediately as an experimental measure, and that they will proceed stage by stage throughout the other parts of the Presidency. As a practical matter of administration, I can accept that. But, here, if they once accept the principle of admission of the depressed classes into temples, why should they not introduce a Bill worded on the same lines as the Madras Prohibition Bill which says that the Bill is to apply to the whole of the Province but immediately shall come into force in only one district. and shall be extended in the light of the experience gained to other districts, as time and circumstances warrant? Why should not the Government word this Bill saying that it is applicable to the whole of the Province but immediately shall come into force in Malabar and after observing its results in Malabar we shall
4 p.m. extend its provisions to other areas? I mean, is it or is it not the policy of the Government, do they or do they not wish the people of the Province to understand that in course of time the temples not merely in Malabar but in the other parts of the Province are going to be thrown open to the people? If they do want the people of the other districts of this Province to understand that, I cannot for a moment understand the wording of the Bill. If they are committed to the extension of the principle to other districts, why not statutorily declare it even now? Why do you want to keep the people of the other districts in suspense? Why do you want to keep them in doubt whether their right of worship arising by birth and orthodoxy will be kept up? Why should not this point be made clear, I ask.

" The next question I wish to address myself to is this. I do not question the *bona fides* of this Government; I do not say that they are not honest and sincere in trying to throw open the temples to the depressed classes. But if you really intend the Bill to succeed, if you really want the temples to be thrown open and that all people should be allowed to worship there, I ask, why

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choose Malabar of all places? Because I consider if there is one district which is the least suited to this, it is Malabar. We know orthodoxy reigns supreme there in a much more intense and severe form than in any other part of the Presidency, the Andhra Desa or Tamil Nadu. Round about here we have only untouchability; but in Malabar we have untouchability, unapproachability and unseeability. We know in Malabar there are certain practices, affecting social segregation which even the most orthodox people of the Tamil and Andhra districts would shudder at. Such being the case, I cannot understand why Malabar should be chosen out of all places.

" Again from the point of view of temples, my hon. Friend, the representative of janmis, Mr. Palat, has said that the temples in Malabar stand on a different footing from those in the Tamil districts. When the Government of this Province passed into the hands of the British, when the British Government took over the management of our temples, in the Tamil districts, at any rate, they were taken over and managed by the Board of Revenue for a long time. But in Malabar they did not do so; we don't know for what reasons; but we know this much, that at least they thought they would not be justified in doing it. This obviously indicates that the temples in Malabar were and are not public property in the sense in which the temples in Tamil Nadu are. They may be public in that they are places of common worship; but where the management vests not in a public body but in a private individual, they are private temples. It seems to me, from that point of view, Malabar is in a much more disadvantageous position than the other parts of the Presidency for the successful working of the Bill.

" The only argument adduced by the Hon. Premier in favour of Malabar is that the temples in Travancore, an adjacent territory, have been thrown open to the Adi-Dravidas and other Scheduled Classes and untouchables. But is the analogy sound? The Hon. Premier knows, everybody acquainted with that proclamation knows, and in fact, all of us know, that that order was issued because the Maharaja possesses autocratic powers. I will remind the House of one vital point: that proclamation was a rule, it was an order, it was not a piece of legislation, it was an order issued by a person invested with autocratic powers; and it was in exercise of that power vested in him that the Maharaja passed that order. Such being the case, is that to be a model for us? I can, however, appreciate the position if figures were quoted to show how that order actually worked. No doubt the Maharaja issued that order with the best of intentions. But the memorials which we have received from Travancore and the information given to us by persons who know how things there really are, go to show that far from being a success, it is just the other way. In the first blush of things, the depressed classes and other backward

communities visited these temples, the orthodox people stopping away at the same time; after a few days of jubilance and exhilaration the depressed classes went about their own work and gradually stopped going to temples; the orthodox people also refused to enter them, as they declared the deity there had been polluted. And this is the present state! This shows how far the measure was a success in Travancore; and this shows also how far this measure will be a success in Malabar. And before Travancore is taken as a model for us to follow, we ought to recognize that there is another neighbour of Malabar, the Cochin State, in which the Maharaja takes a very strong view on this matter. He says that this is a matter of religion; ex officio he is the religious head, and as the religious head, he is not prepared to throw open the temples to the depressed classes. Now when Cochin is against temple entry and when opinion is divided about the success of the measure in Travancore, it does not require many words from me to say how this measure in Malabar is not going to be a success.

" Another objection to this Bill is this. We all know that the formation of Provinces on a linguistic basis is a matter of time only. That is, it will not be long before the Andhras will cut themselves off from us, even though the Andhras, the Tamils, the Malayalis and the Kanarese all belong to one and the same stock of Dravidians. And if the Andhras cut themselves off from us, it naturally follows that the Kanarese of South Kanara will go over to their fellow Kanarese of Bombay and form for themselves a Karnataka Province; and then it automatically follows that Kerala, known in ancient days as the Chera kingdom, will become a Province by itself. At least every one feels convinced after the assurance given by the Hon. Premier that every attempt has been made in that direction, that linguistic Provinces will be formed as soon as possible, may be within the next four or five years. Such being the case, I ask, is it fair, is it right, is it proper that this House, in which Malabar is so sparsely represented and in which the Tamils and Andhras predominate, should say that it is an excellent thing that Hindu temples in Malabar should be thrown open! Excellent, for whom? Excellent, not for me; excellent, not for the Andhras; but excellent for Malabar, whose votes here count five, six or at best only ten. So the most proper course for us will be to say, 'If you want to choose a district, choose it from the major Provinces, choose it from the Tamil area, or choose it from the Andhra area. You should not think of choosing Malabar, in view of the fact that Malabar by itself will constitute a separate Province in due course. This is a matter which should be left to the future Malabar Province to decide for itself.'

" I submit, if this experiment is really to succeed and if people are really interested in it, I should have expected the Hon. Premier to choose his own district, Salem, where prohibition

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was started and tried, and about the success of which we have been getting so many brilliant descriptions. We have been seeing from press reports that the Hon. Premier was being received with grand enthusiasm everywhere, that he was being congratulated on the scheme, that women have been blessing him for this measure, and so on. He is most popular in his district; he is worshipped, if I may say so, in his district; that is, if we believe the reports which tell us so. Therefore, the best thing for him will be to introduce this policy among his own people. He belongs to the orthodox caste; he belongs to the highest of the hierarchy of caste Hindus in that district; he is popular among them, and so why not introduce this Bill in his own district? The Hon. Minister for Education comes from the same district. He belongs to one of the most ancient and aristocratic families of the district, and he is the hereditary trustee of the temple at Tiruchengodu. His personal influence and credit counts for much there. If we are to believe all the adulation that the women of the Salem district shower on the Hon. Premier, and if we are to believe that in spite of the proverbial conservatism of women to cling to the old order of things, the women of the Salem district have succeeded in breaking the rules of orthodoxy, I cannot see why this measure cannot be successfully worked in Salem. Or, for that matter, why not introduce this measure in some other place like Kumbakonam in my own district, where the Hon. Premier is popular among the orthodox Hindus? Why choose Malabar? It is foredoomed to failure. I am sure that with every step you take, you will be facing difficulties. In your own district, you have got your own parties—I do not use that word in any derogatory sense. They in Malabar feel conscientiously that this measure should not be brought forward; and after all, in a matter of conscience, one has got to respect one's feeling. They feel it is against their religious ideas to throw open the temples; their head, no less a man than the hereditary chief, the Zamorin of Calicut, has said in no unmistakable terms that this measure is unwanted. So I say the path of this measure is bestrewn with dangers and difficulties, that this Bill is impracticable, that if you want this Bill to be a failure and if you want the depressed classes to be kept down in their present condition as they have been kept down for the last so many centuries, you cannot have chosen any other district than Malabar.

" And here we have another curious argument of the Hon. Premier. We have been accustomed to all the ills that we suffer from being attributed to the British rule. But I was not prepared for this argument that this custom has been perpetuated in our country by the 150 or 200 years of British rule, because for the last 150 years the British courts have respected our age-old customs. After all, it is an ancient custom which has been going on from year to year for the last so many years, and as years have dragged on, the conditions have become worse."

4-15 p.m. * THE HON. SRI C. RAJAGOPALACHARIAR:—"It is not quite fair, I think, to the hon. Member to be allowed to go on in this strain, when he has committed an obvious mistake. It is not my idea that the British Government were responsible for this. Hon. Members should understand what I meant. Any legal coercion adds strength to the custom and makes it impossible for a custom to get out of its present condition, or to make any change. The enforcement by law petrifies custom. It is an accident that British law has petrified it. It could have been German law or any other law."

* RAO BAHADUR SIR A. T. PANNIR SELVAM:—"I can only say, Sir, that according to the arguments advanced by the Premier, things would have improved and the conditions of the depressed classes would have been better except for the British Government. But in fact but for the British the depressed classes would not even have the little voice that they now have and Mr. M. C. Rajah would not have been able to fight for his people. It might be unpatriotic for me to say it. But facts cannot be ignored. Mr. M. C. Rajah will be the first man to admit it. Whether the country is exploited or not is not the question I am going into at present. The depressed classes have been certainly benefited by the British Government. I am saying this not to meet the arguments but just to show how, in spite of the enlightened rule of the British for 150 years, the whole system has come down to us from very early days and has become, so to say, ingrained in us. If you want to fight against this, you must begin where there are men who can command respect and whose words people are prepared to accept blindly. Begin it there. Throw open the Tiruchengodu temple as the first step. That would ring throughout the land, not this fiat issued by an autocratic authority. Ask your Tiruchengodu members and people to vote for it, and then Malabar would automatically follow suit. Therefore, I submit, much as I am for the principle of the Bill, I am addicted to this theory that the House of God is open to every human being, and in the presence of God there is not a tittle of difference between man and man, the higher and the lower all stand on an equal footing. We are all dust in the eyes of God and like dust we must behave. That is what I want to see enforced. Therefore it is that I want to see it begun in a place and under circumstances where our efforts will prove fruitful, and not in a place like Malabar where it is bound to be a failure."

K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—"Mr. Speaker, originally it was not my idea to participate in this discussion and give my views on the motion under discussion. It is a measure which affects two sections of the Hindu community—the caste Hindus on the one hand and the depressed classes on the other. So as a Muslim I cannot be expected to

speak at length on a problem affecting members of another community. Nor is it my idea to offer any kind of destructive criticism. But there are one or two things that I have got to say before this House, so that if those observations are correct they may be helpful in effecting an improvement of the measure before us. The Harijan movement is one that has come to the lime-light of late. Ever since Gandhiji has taken up the cause of the Harijans other leaders in the country too have taken this reform to their heart. It is a move in the right direction and we no doubt want it. But it is rather unfortunate that when we are trying to bring about this change by legislation, we should be so hesitant, that is, that we should proceed so cautiously as to take away the very effect of that legislation. Sir, according to the provisions of the Bill, Harijans will be allowed to enter the temples only in case a specified percentage of caste Hindus are in favour of it. Sir, we know the religious and social tyranny the Harijans have suffered at the hands of the caste Hindus. If you again leave the question of temple entry to the caste Hindus, I am afraid we will not be making any progress in the direction of reform. After all, it is necessary for us to realize that the reform can be correct and the reform can be a success only if we take a bold step in the matter. Sir, it may be said by the Premier that it is rather very dangerous to be very bold in matters of social and religious reform like this. But here it is a matter of principle and of doing justice to a large community. When we know that a wrong is being done to a particular community we have got to stop it boldly and speedily. That is what we have done on other occasions. Take for instance the Agriculturists Relief Act. The Premier knew that the agriculturist was suffering under a great hardship. He knew also that some reform was necessary in that direction. With a reckless speed he went through a piece of legislation that has stood the agriculturist in good stead. So also in the case of prohibition. The Premier knew that some legislation was necessary to check the drink evil and we passed the piece of legislation which is now being enforced in different parts of the Province. When we are so bold and courageous in our reform in those directions, what is it that makes us so timid in this particular reform? Is it because we have to please both the parties—the caste Hindus and the Harijans? Is it with this intention that this kind of permissive legislation is enacted?"

* THE HON. SRI C. RAJAGOPALACHARIAR:—"Exactly."

K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—"I am given to understand that this is the reason. I fail to see how this legislation, being of a permissive type, will do any kind of good to the Scheduled Class. We are once again leaving the Harijans to the mercy of the caste Hindus. It would be too much to expect that the latter would change their attitude simply because

a Bill for temple entry has been enacted and stands on the statute book. Sir, it seems to me as if we too are joining with others in the injustice that is being done to the Harijans. We know the urgent need for reform, but we are slow and hesitant in our efforts and we are thereby perpetrating the *zulum* on this class of human beings. It looks as though loyalties are cutting against each other, and I am afraid that if we proceed in that way this reform will do no one good.

" Sir, I wanted to say a word about the place that has been selected. Sir Pannir Selvam has indicated how Malabar will be a rather dangerous place for us to start the experiment. I am afraid I am not conversant with the conditions there and therefore it will be presumptuous on my part to say anything in that connexion. Sir, perhaps the Premier has studied the problem very well and thinks that this measure will be a success there. If it is so, we all wish him success.

" So, it is not my intention to criticize the Bill under discussion. It is not my idea to discourage this social legislation. But I think we are rather too timid, slow and less straightforward. I am sorry for using that word. I do not imply anything bad. I mean to say we are not bold enough to declare that a wrong is a wrong and correct it at once. The destinies of the Scheduled Classes are again sought to be left in the hands of the caste Hindus. So in my opinion this measure will not be a great success unless we are bold in cutting out this evil and injustice root and branch."

* **Swami A S. SAHAJANANDAM** ;—" கனம் தலைவரவர்களே ! இந்த பில் கொண்டுவந்தது ஒரு புதிய சகாப்தத்தை உண்டாக்கியதென்று தெரிகிறது. நாங்கள் பல ஆண்டுகளாக இந்த மாதிரி பில் வரவேண்டுமென்று ஆவலோடு எதிர்பார்த்துக்கொண்டிருந்தோம். சென்ற அஸெம்பிளியில் எங்கள் தலைவரான கனம் எம். சி. ராஜா அவர்கள் பில் கொண்டு வந்தபோது, ஸர்க்காரே இந்த மாதிரி பில் கொண்டுவருவார்களென்று கனம் முதல் மந்திரி அவர்கள் சொல்லியபடி, இந்தபில் கொண்டுவந்ததானது எங்களுக்கு அளவு கடந்த சந்தோஷத்தை உண்டு பண்ணுகிறது.

" ஆனால் இந்த பில் இந்த முறையில் கொண்டு வருவதை விட வேறு முறையில் கொண்டு வந்திருக்கலாம். பம்பாயில் கொண்டு வந்திருக்கிற பில்லைப்போல அந்தந்த டிரஸ்டிகளுக்கு அதிகாரம் கொடுத்துவிட்டால் சில டிரஸ்டிகள் ஆலயங்களுக்குள் விட ஏற்பாடு பண்ணுவார்கள். அதற்குத் திருஷ்டாந்தமாகச் சென்ற ஆண்டில் ஒரு ஆலயத்திற்கு ஒரு பெரியாரை அழைத்துக்கொண்டு சென்றிருந்தேன். ஒரு பெரிய சிவாலயம். அங்கிருந்த டிரஸ்டி மாலை போட ஆரம்பித்தார். 'இன்னார், இன்ன ஜாதி' என்று சொல்லிக்கொள்ளவேண்டாமென்று சொன்னார். எனது நண்பர் ஒரு ஆலயத்திற்குப் போய் அங்கே வெளியில் நின்று டிரஸ்டியைப்பார்த்து, 'உள்ளே போய்ச் சேவிக்கலாமா ?' என்று கேட்டார். 'போங்கள், உள்ளே போய் ஜாதியைச் சொல்லிக்கொள்ளவேண்டாம் ' என்று

2nd December 1938] [Swami A. S. Sahajanandam]

சொன்னார். சென்னையிலும் பல ஆலயங்களில் டிரஸ்டிகளாக உள்ளவர்கள், 'இந்த மசோதா சட்டசபையில் சட்டமாகிவிட்டால், உடனே திறந்து விடத் தயாராக இருக்கிறோம்,' என்று சொல்லிக்கொண்டிருப்பதும் எங்கள் காதில் விழுந்திருக்கிறது.

"இந்தச் சட்டத்தை வேறு நிலையில் கொண்டு வந்திருக்கலாம். இப்பொழுது கொண்டு வந்திருக்கிற இநதச் சட்டத்தை எந்த வகையாலும் அமுலுக்கு வரும்படியான முறையில் நடத்திவைக்கவேண்டியது ஸர்க்காரின் கடமை, காங்கிரஸ்காரர்கள் கடமை, பொது ஜனங்கள கடமையுமாகும். நாங்கள் ரொம்ப நாளாக ஆவலாக எதிர்பார்த்துக்கொண்டிருந்தோம். கோயிலில் சுவாமி இருக்கிறது என்றும் எங்களுக்கு ரொம்ப நம்பிக்கையுண்டு. எங்களை உள்ளே போகவொட்டாமல் வைத்திருப்பதால், 'வாஸ்தவத்தில் ஹிந்து மதத்தில் என் மக்களாகப பிறந்தோம்?' என்று துக்கம் அடைந்து வருந்துகிறோம். சீக்கிரம் இதைச் சட்டமாகச் செய்து நடை முறையில் வந்தால் அது எங்களுக்கு ரொம்பவும் சந்தோஷத்தைக்கொடுக்கும்.

"ஆனால் சில மெம்பர்கள் மறுக்கிறதாகத் தெரிகிறது. நேற்று ஒரு மெம்பர் இது இந்தியா ஆக்டில் இல்லை, தர்ம ஸ்தாபனம், ஆலயம், **religious endowments** இருக்கிறதே யொழிய மதஸ்தாபனம் என்று இல்லாமையால் இந்தச்சட்டம் கொண்டுவர இடமில்லையென்று மறுத்தார். ஆனால் ஆக்டில் இருக்கிறது சுவாமி கோயில் சொத்து. சுவாமியின் பிள்ளைகள் நாங்கள். அந்த சொத்தில் எங்களுக்கு உரிமையிருக்கிறதா, இல்லையா, என்று தான் கேட்கிறோம். இந்தச் சட்டம் வருவதற்கு இடமிருக்கிறது.

"ஸர் பன்னீர்செல்வம் அவர்கள ஆக்ஷேபணை கொண்டு வந்தார். ஆனால் சென்ற அஸெம்பிளியில் கனம் எம். சி. ராஜா அவர்கள கொண்டு வந்த மசோதாவை அடியோடு தள்ளிவிடவில்லை. இதே விஷயமாக பில் ஸர்க்கார் கொண்டுவரப்போகிறார்கள். ஆகையினால் வாபீஸ் வாங்கிக்கொள்ளுங்கள் என்று சொன்னார்கள். அதனால் அவர் ஆக்ஷேபித்ததிற்கும் இடமில்லை. கனம் பாலட் அவர்கள் இந்த பில் விஷயமாகச் சொல்லும் போது மிகவும் உருக்கமாகப் பேசியிருக்கிறார். அவர் பெரிய குடும்பத்தைச் சேர்ந்தவர், எங்களிடம் நல்லெண்ணமுடையவர். ஆனால் நேற்று அவர் தமது தொகுதியில் உள்ள வைதீக கோஷ்டிகள் அபிப்பிராயத்தைப் பேசினார். அவர் அந்த மாதிரி பேசவேண்டியதுதான். ஆனால் அவர் தொகுதியில் கோயிலைத் திறக்கவேண்டுமென்று சொல்லுகிறவர்கள் பெரும்பாலோர் இருக்கிறார்கள். இதை அவர் மறந்துவிட்டார்.

"ஹரி ஜனங்கள் ஆலயங்களுக்குள் போகக் கூடாதென்று எந்த வேதமும் சாஸ்திரமும் சொல்லவில்லை. சில மடாதிபதிகள் அறிக்கைகளை வெளியிட்டிருக்கிறார்கள். சிருங்கேரி சங்கராச்சாரியார், கும்பகோணம் சங்கராச்சாரியார், வானமாமலை ஜீயர் சுவாமிகள் எல்லாம் அறிக்கைகள் வெளியிட்டிருக்கிறார்கள். அவர்கள் மனதைத் தொட்டுப் பார்த்தால், 'எப்பொழுது உள்ளே வரப்போகிறார்கள் ஹரிஜனங்கள்,' என்று எதிர்ப்பார்த்துக் கொண்டிருக்கிறார்கள். வெளியில் எதற்காகச் சொல்லுகிறார்களென்றால் வைதீக கோஷ்டிகள் தொந்திரவு கொடுக்கப் போகிறார்கள் என்றுதான் சொல்லுகிறார்கள். வாஸ்தவத்தில் அவர்களுக்கு ஆக்ஷேபணையில்லை.

"ஆனால் இந்தச் சமயத்தில் இன்னும் ஒன்று சொல்லப் பிரியப்படுகிறேன். நம்முடைய முதல் மந்திரி அவர்களும், நம் சுகாதார மந்திரி அவர்களும் வைஷ்ணவர்கள். வைஷ்ணவ மதப்படி மிலேச்சன் பக்தனானால் குல தெய்வத்திற்கு சமமாக பூஜை பண்ணித் தீர்த்தம் வாங்கிக் கொள்ளலாம், பிரசாதம் வாங்கிக்கொள்ளலாமென்று ஒரு பெரியார் சொல்லியிருக்கிறார். வைஷ்ணவத்தில் தீட்டே இல்லை. வானமாமலை ஜீயர் சுவாமிகள் உடையவரை பூஜை பண்ண ஸ்நானம்பண்ணும் சமயத்தில் பிள்ளை என்னபண்ணுகிறார்கள் என்று கேட்பார். அசுத்தமாய்

விடுமென்று தெரிந்தும் பூஜைக்குவருகிறார். சாப்பிடப்போகும்போது பிள்ளையை ஸ்மரித்துப் போகிறார். சாப்பிட ஆரம்பித்தார். இன்னொருவர் பிள்ளை கிரகப்பிரவேசம் பண்ணிக்கொண்டிருந்தார். பிள்ளை வானமாமலை தாசர் என்று சொல்லக்கூடியவர் நம் ஆசாரிய ஸ்வாமிகள் உள்ளே நுழைந்து பார்த்து விட்டு வந்தார் கிரகப்பிரவேசத்திற்கு முன். இதெல்லாம் என்ன காட்டுகிறதென்றால் யார் பக்தனாயிருந்தாலும் அவனுக்குத் தீட்டே இல்லை. ஹரிஜனங்களுக்குத்தான் கோயில். சத்தியமாகச் சொல்லுவேன். சாஸ்திரங்களைப்படித்தவர்கள் வாஸ்தவத்தில் கோயில் எல்லாம் ஆதித்திராவிடன் என்பவனுக்குத்தான கோயில். ஏனென்றால் ஒரு ஆசாரியார் சொல்லுகிறார், எந்த மனிதன் உயர்ந்தவன் என்று தன்னை நினைக்கிறானோ அவனுக்குக் கடவுள் அன்பில்லை. தாழ்ந்தவன் யாரோ அவனுக்கு பரமபதத்தில் இடமிருக்கிறது. தன்னை உயர்ந்தவன் என்று நினைக்கிறவன் சுவாமியின் அருளுக்கு உரியவனல்ல என்று சொல்லியிருக்கிறார். ஹரி ஜனங்களுக்குத்தான் கோயி..ல் போக உரிமையிருக்கிறதே தவிர உயர்ந்த ஜாதியாருக்கு கோயிலில் உரிமையில்லையென்று சொல்லுவேன். ஆகையினால் கோயில்கள் ஹரிஜனங்களுக்கே ஒழிய மற்றவர்களுக்கல்ல. மற்றவர்கள் 'அவர்கள் சுத்தமில்லை. அனுசாரம்,' என்று சொல்லுகிறார்கள். ஆனால் எவன் குணமில்லாதவனாக தோஷமுடையவனாக இருக்கிறானோ அவனை உள்ளே விடவேண்டுமென்று சொல்லியிருக்கிறார். இது ஒரு பெரிய அவதார புருஷர் சொல்லியிருக்கிறார். ஹரிஜனங்களை ஆலயத்தில் விடக்கூடாது என்று சொல்ல எந்த இடத்திலும் இடமில்லை. பகவான் கீதையில் சொல்லுகிறார் 18-வது அத்தியாயம் 22-வது சுலோகத்தில், ரொம்ப முட்டாளாக இருக்கிறவனுக்கு கண்கூடான சுவாமி. ஹரிஜனங்கள் முட்டாள்கள் என்று சொல்லப்படுவதால் அவர்களுக்குக் கோயிலில் தான் பகவான். அறிவாளிகள் என்று நினைக்கிறவர்கள் கோயிலுக்குப் போகக்கூடாது. இந்த முறையில் ஹரிஜனங்களுக்குத்தான் கோயில். மற்றவர்களுக்கில்லை. சாஸ்திர முறையில் ஒருவர் யாரை தொடக்கூடாது என்று சாஸ்திரம் சொல்லுகிறதெனறால் சண்டாளனை தொடக்கூடாது என்று சொல்லி.ரு கிறது. ஜனம சண்டாளன், கர்ம சண்டாளன் என்று இரண்டு..கை உ...., ஹரிஜனங்கள் இரண்டுமல்ல. இன்றைக்கு ஜர்மானியர் யூதர்களை எவ்வாறு துரத்தித் தொந்திரவு பண்ணுகிறார்களோ, அலைக்கிறார்களோ, அதே மாதிரி இந்த இந்தியாவில் ஆ..ர் குடியேறிய காலத்தில் இந்தியாவில் உள்ளவர்களை தாழ்த்தவேண்டுமென்று சொல்லி அவர்கள் ..டி ஸ்தானத்தை எற்றி..ர்களே தவிர ஹரிஜனங்கள் தாழ்ந்தவர்களல்ல. இந்த தாழ்ந்த ஜாதியென்பதில்லை யென்று காட்டவே நம் ம.ழ்..ார் நான்காவது யுகத்தில் தாழ்ந்த ஜாதியில் பிறந்தார். ஆகையினால் தாழ்ந்த ஜாதியாராக இருக்கிறவரையில் பாக்கியசாலி. நாமும் எப்பொழுது சுவாமியை சேவிப்போமென்று எங்களுக்கு மனது தவித்துக்கொண்டிருக்கிறபடியால் இந்த பில் வருவது எங்கள் பாக்கியம். மகாத்மா காந்தியடிகள் எங்களு..ு ஹரிஜனங்கள் அதாவது விஷ்ணுவின் சொந்த ஜனங்கள் என்று பேர்கொடுத்தார். இந்தப் பெயர் மகாத்மா காந்தியடிகளிடமிருந்து வருமானால் அதைவிட சிலாக்கியமான பெயர் வேறு ஒன்றுமேயில்லை. கனம் பாலட் அவர்களும் மற்றவர்களும் கவலைப்படவேண்டியதில்லை. சாஸ்திர விரோதமில்லை. திருவாங்கூரில் ஆலயத்தை திறந்து விட்டிருக்கிறார்கள். அந்த தேசம் கெட்டுப்போகவில்லை. எல்லோரும் க்ஷேமமாக இருக்கிறார்கள். அதைப்போல் நம்ஊரில் விடாததால் மூன்று மாதமாக மழைபெய்யவில்லை. (சிரிப்பு). மேலும் இந்தச் சட்டம் அருமையான சட்டம். காங்கிரஸ் ராஜ்யத்தில் ரொம்ப அருமையான சந்தர்ப்பம். நம் கனம் ராஜாஜி அவர்கள் இந்தப் பதவியிலிருக்கும் சமயத்தில் இந்த உரிமை கிட்டியது. இந்த சமயத்தைவிட்டால் கிடையாது, கிடையாது. **(Applause.)** இதை சீக்கிரம் சட்டமாகச் செய்யவேண்டுமென்று காங்கிரஸுக்கும் ராஜாஜிக்கும் வணக்கத்தைச் செலுத்தி இந்தச் சட்டத்தை அமுலுக்குக் கொண்டு வரும்படியாக எல்லோரையும் கேட்டுக்கொள்ளுகிறேன். சென்னை

2nd December 1938] [Swami A. S. Sahajanandam]

யில் இந்தச் சட்டத்தைக் கொண்டு வரலாம். சென்னையில் ஜாதித்துவே
ஷமில்லை. மலையாளத்தை விட சென்னையில் கொண்டு வரலாம். இந்தச்சட்டத்
தை பாஸ் ஆக்க வேண்டுமென்று எல்லோரையும் வணக்கமாகக் கேட்டுக்
கொள்ளுகிறேன்.”

* SRI G. KRISHNA RAO :—“ May I say a few words, Sir? ” 4-30 p.m

MR. SPEAKER :—“ Why, you can make a full speech.” (Laughter.)

* SRI G. KRISHNA RAO :—“ Mr. Speaker, after the eloquent speech that was delivered by my hon. Friend Swami Sahajanandam . . .”

* THE HON. SRI C. RAJAGOPALACHARIAR :—“ I hope Mr. Krishna Rao understood that (Tamil) speech.”

MR. SPEAKER :—“ Mr. Krishna Rao knows Tamil.”

* SRI G. KRISHNA RAO :—“ I have to oppose this Bill for certain reasons. It is not that I am doing so in any spirit of communal superiority or any class bias. I am opposing it only on practical considerations. Sir, it is only in the last session that we passed the Removal of Civil Disabilities Bill and as such in my opinion it is too soon to bring in a measure of this kind now. In my opinion this Bill is inopportune. I feel, Sir, that the quiet change that has been effected by that measure is sure to be disturbed by the passing of this measure at this juncture. In the interests of the Harijans themselves, though it may seem paradoxical, I feel I cannot support this measure.

“ Sir, in the Statement of Objects and Reasons of this Bill it is stated that there has been a growing volume of public opinion which demands the removal of the disabilities of the Harijans, particularly in regard to entry into temples and worship therein. I am not able to realize the correctness of this statement. I would like to ask the Hon. the Prime Minister whether there is a very large and powerful body of public opinion in this country either from the caste Hindus or from the depressed classes forcing the Government to introduce a measure of this kind at this stage. I think, not, Sir. It is not owing to the force of public opinion that this Bill has been brought in. We know the genesis of this Bill; we know how it has come into existence. It has come in as a sequel to the promise made by the Hon. the Leader of the House to Rao Bahadur M. C. Rajah when he brought in his Bill on the last occasion, on that memorable night and the Government had to oppose it. It has not been brought forward on account of the force of public opinion. I may say that this situation has been forced upon the Government by my friend Mr. Rajah. I doubt very much whether the Government would have brought in this Bill of their own accord, if my hon. Friend Mr. Rajah had not brought

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forward his Bill in the first instance. I hope the Hon. the Leader of the House will explain the matter when he speaks. Sir, if, as the Government aver, there is a large body of public opinion and a very insistent volume of opinion in support of this measure, may I ask why the Government did not support the Bill brought forward by Rao Bahadur M. C. Rajah? Why did not they do it? I know, Sir, the Government could not do it. I have a feeling, Sir, that the Government did not support that Bill because they were not sure of their ground with regard to this most controversial measure. The fact anyhow remains that the Government did support Mr. Rajah's historic Bill though it was as old as 1932, but withdrew their support at the last moment. He is here to tell us what happened on that memorable occasion (laughter), when he waged his epic battle with the Leader of the
4-45 p.m. House. We also saw how the Government vacillated, demurred and at last capitulated, to the serious difficulties they would have to face and the extremely difficult situation they would be in, if they gave their support to the general measure brought in by Mr. M. C. Rajah.

" Now, Sir, we have got before us a Bill in a qualified form whose application is restricted to the one district of Malabar. The Government want to make this as an experiment; they want to ascertain the public opinion there; and they want to grope their way through doubts and uncertainties and see whether the measure works successfully or not in Malabar. So there is no public opinion behind it. Now, as this is a very important and a very momentous measure, especially in the south, I would ask the Hon. the Leader of the House, as the great leader of a political party, whether he placed this question as a definite issue before the electorate at the last elections. Of course we all know that the ideology of the Congress party is the removal of untouchability, and the Hon. the Premier may say that temple entry is implied in that ideology. But for the ordinary man in the street the whole idea is not comprehensible; to him it is not a comprehensive thing; it is an amorphous and indefinite thing. I ask, 'Did you tell the electorate, " We are going to do such and such a thing; if you are willing to give us your votes, give us "?' That is what the Congress party ought to have said. I think it did not do that. It did not place this issue before the electorate. Why, I ask? If we respect the ideals of democracy, Sir, we must respect its methods also. If this issue had been placed definitely before the electorate, you would have got the verdict of the country upon it. I do not know why such a thing was not done. If that thing had been done, the Government will be free from any blame or reproach. They cannot be free from it now. I submit most respectfully that in spite of the very good intentions of the Government or the method by which they approach this problem, people might say, 'You are throwing a surprise on us; when we gave our votes, we did not expect

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that you would introduce such a legislation as this.' In this connexion, Mr. Speaker, I may be allowed to refer to what the Hon. the Premier said when my hon. Friend, Mr. Basheer Ahmed Sayeed, brought his Muslim Wakfs Bill during the last session. This is what he said:—

'It is a controversial matter. It is all right to proceed upon in ordinary cases, but very dangerous ground to proceed upon when we deal with religious institutions and communities whose leaders have times without number pointed out that we have to be very slow and cautious in dealing with such matters."

" Sir, that was a matter dealing with the control of properties of the Muslim religious institutions. The Bill did not go into any religious things, but only wanted that power should be taken by the Government for controlling Muslim endowments. Just as the Government passed a piece of legislation regarding the Hindu religious endowments, on the same lines, he wanted to bring forward a piece of legislation regarding the Muslim endowments. The Muslim members of this House, the representatives of the Muslim community, were telling the Members of the Treasury Bench that they had got the whole Muslim public behiud them. Still the Hon. Dr. Rajan and the Hon. Premier were not satisfied with that statement. They wanted an 'unmistakable' public opinion. They wanted the fullest expression of public opinion on that matter and, therefore, moved for the circulation of the Bill. Sir, when it is a question of Muslim public opinion, even for secular matters concerning them, you want such a strong support from the public; I would very much like to ask the Hon. the Premier how, in the case of Hindus, it is possible not to apply the same principle.

" Well, you may say, 'We are not doing anything wrong; we are putting this matter before the electorate as a referendum; we are not doing anything independently ourselves and we have made our own arrangements for ascertaining the opinion of the electorate.' But I would submit that I do not believe that the electorate is representative in this matter and can give its verdict upon a matter like this. It is absolutely defective and unsuited for the purpose. The referendum may be a good remedy in political matters, but it is not a good remedy in matters concerning religion. But even supposing for argument's sake that we are going to use the referendum for this purpose, what is the referendum that is proposed? It is an apology for a referendum. When you place a proposed law before a body of people whom it affects for their ratification or rejection, is it a referendum? I submit this is not a referendum. It is a misnomer. All are not entitled to vote. Where does the whole body of caste Hindus come in? Only those voters who are entitled to vote for municipalities and distirct boards are eligible to vote in regard to this matter. Even in this restricted electorate what do we see? We see that more than one Hon. Minister has been carrying on propaganda by addressing

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meetings near Malabar and making exhortations to the people there. The exhortations are: 'If you fail you will be held responsible for failing in your duty by the Harijans.' 'You cannot refuse it.' 'You should vote entirely in favour of temple entry.' These are the exhortations. I ask, Sir, where is the permissive nature of the Bill in the midst of such insistent official propaganda? I wonder, Sir, if it is a referendum or a mandate!

"Sir, another argument that is advanced in favour of this measure and which is referred in the Statement of Objects and Reasons is that there is a place in South India where the excluded castes who have not had the privilege of going to temples previously, now enjoy it. We know, Sir, that place in South India. Here again I am not able to see the correctness of the analogy. It is the Travancore State. It is an autocratic State and the fiat of the autocratic sovereign has gone forth in this matter crushing down all public opinion. 'Ordered' and 'brought about' are the words used—yes it is an 'order.' An autocratic mandate! When such autocratic States are unfit to come into the Federation with democratic British Provinces, I would very much like to know whether a mandatory order passed by the Sovereign of Travancore can be taken as a proper example for introducing this reform here. It has been done against every concept and principle of democracy. Whatever may be the justification for putting this argument in the Statement of Objects and Reasons, if you accept the principles of democracy, how can the analogy of Travancore be justified? The analogy to my mind seems not only incorrect, but misleading.

"With regard to the opinion of the Harijans themselves on this matter, what do we see? There is no consensus of opinion among them with regard to this Temple Entry Bill. My hon. Friend, Mr. R. Srinivasan, does not look upon it with favour. He has issued a statement in the *Madras Mail*. He says it will bring about dissensions between the Harijans and the caste Hindus, it will create rifts between the two communities and will give room to unprofitable controversies and will increase the difficulties of Harijans. He lays stress on the fact of the economic improvement and material uplift, which are more important to the Harijans than this illusory gift of temple entry. He says, 'We have got our own temple; we do not care for these caste Hindu temples.' He fears that the Harijans will be losing the opportunities they now have of the special encouragement and treatment for this economic uplift. These are the statements of a man who is the leader among the Harijans and I think he is aware of the practical difficulties in the way. That is why, Sir, I started by saying that this Bill may not be advantageous to the Harijans.

"I am coming now to my hon. Friend, Mr. M. C. Rajah. He is haunted by another fear. He questioned the *bona fides* of the intentions of the Congress party in their attempt to improve the

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lot of the Harijans. He sees only caste Hindu tyranny in the Harijan Advisory Boards and deplores the omission of missionaries in that body. He complains of the appointment of caste Hindu managers in the Harijan hostels. He has plainly expressed that this is a method of caste Hindu tyranny that is imposed on his community and he wants his community to escape from it. He definitely says that he has warned his community that the Congress is trying to encircle them and put them under the thraldom of caste Hindu tyranny. Although you may not care so much for those words, you must still recognize that he is the leader of his community and that the electorate has sent him, and he says what he considers right from his point of view. He has complained of the caste Hindu electorate as envisaged in the Bill and feels that it is another brand of inferiority placed on his community. I hear, Sir, the Tiyyas of Malabar are resenting it also.

" I submit that these are my objections to the Bill. On principle of practical politics I oppose the Bill. There is no consensus of opinion among the Harijans themselves regarding temple entry. When the leaders of the Harijan classes themselves are openly accusing and questioning the *bona fides* of the intentions of the Government with regard to the work which the Congress party is doing, I think it is better not to stir up further troubles and prejudices and develop class hatred by rushing forward with this measure. I would very much like that the Government do not rush forward with this measure at this juncture. Having started another piece of legislation, namely, the Removal of Civil Disabilities Act, I do not want the Congress party to spoil its effect by rushing through this legislation. Still if you insist on carrying forward this measure, as I am sure you will do, I think there may arise occasions which may create hatreds and antagonisms which the Government may hardly be able to allay without having recourse to force or coercion. God for fend such a contingency! "

Sri R. S. MANICKAM:—" தலைவரவர்களே! ஆலயப்பிரவேச விஷயமாக கனம் எம். சி. ராஜா அவர்கள் கொண்டுவந்திருக்கிற பில்லும் மந்திரி அவர்கள் கொண்டுவந்திருக்கிற பில்லும் ஒன்றுதான். வியாதியுள்ளவர்களுக்கு எந்த வைத்தியர் மருந்து கொடுத்தாவது சீக்குத் தான் குணமாக வேண்டும். நம் பிரதம மந்திரியார் அவர்கள் ராஜாங்கத் தில் ஈடுபட்டு சிலகாலத்திற்குள்ளாக அநேக சீர்திருத்தங்களையும் நன்மை களையும் அபுதமாகச் செய்துகொண்டுவந்திருக்கிறார்கள். அவற்றில் ஏழை களுக்கு கடன் மசோதாவும் Prohibition Act-ம் சம்பந்தப்பட்டவை. இவை எல்லாம் சரீர சம்பந்தமான பிரயோஜனம் கொடுக்கக்கூடியதே அல்லாது ஆத்ம சம்பந்தமாக பிரயோஜனம் கொடுக்கக்கூடியதல்ல. ஆத்மாவும் சரீரமும் இரண்டும் சேர்ந்துதான் மனிதன். சரீர சம்பந்தமான அனுகூலங்கள் ஏழைகள் வாழ்க்கைக்கு வேண்டிய அநேக காரியங்கள் இப்பொழுது செய்திருக்கிறதுபோல் இன்னும் அநேக விஷயங்கள் நடந்து கொண்டே வருகின்றன. அவர்களுக்கு சரீர சம்பந்தமான அனுகூலம் செய்ததுபோல் ஆலயப் பிரவேசம் வேண்டுமென்ற நோக்கத்தோடு பிரதம மந்திரியார் அவர்கள் ஆத்ம சம்பந்தமான முக்கியமான இந்த பில்லைக் கொண்டுவந்திருக்கிறார்கள். ஏனென்றால் அவர்கள் தெய்வ பக்தி ஜாஸ்

தியாக உள்ளவர்கள். நாம் மாத்திரம் அந்த பரமானந்தத்தை அனுபவிக்கிறோம். ஏழைகள் அனுபவிக்கவேண்டும் என்ற அநுதாபத்தால் இதை இந்த சமயத்தில் கொண்டுவந்திருக்கிறார்கள். இப்படிப்பட்ட பில்லை இந்த சமயத்தில் கொண்டுவராமல் வேறு எந்தக் காலத்திலும் கொண்டுவந்தாலும் பயன்படப்போவதில்லை. இதற்கு முன் சில மசோதாக்கள் வெளியில் வந்தும் அவை அப்படியே Assembly சபையில் வந்து அந்தமட்டில் மறைந்து மறைந்து போயிருக்கின்றனவே தவிர கொஞ்சங்கூட பிரயோஜனபடவில்லை. இந்த பில்லைக் கொண்டுவர இதுதான் தகுந்த நேரம் என்று நான் நினைக்கிறேன். இப்பொழுது இந்த கடன் மசோதா கொண்டு வந்து ஜாதி மதம் குலம் முதலிய வித்தியாசங்களும் அறவே ஒழிந்து வந்திருக்கிற இந்த நேரத்தில் இதைச் செய்வதாக இருந்தால் சுலபமாக நடக்கும். மானிட சிருஷ்டிகள் எல்லோரும் மகிழ்ந்து இன்புற்றிருக்கவேண்டுமென்று இந்த மசோதாவை கொண்டுவந்திருக்கிறார்கள்.

“இதில் ஒரே ஒரு வித்தியாசம். 50 பேர் வோட்டுக் கொடுத்த பிறபாடு ஒரு குறிக்கப்பட்ட காலத்திற்குள்ளாக 25 பேர் விண்ணப்பம் செய்துகொண்டால் இந்தச் சட்டம் பிரயோஜனப்படாது என்று சொல்லி இந்த பில்லில் இருக்கிறது. 50 பேர் வோட்டுக் கொடுத்த பிறபாடு 25 பேருக்கு வேண்டாம் என்று சொல்ல அதிகாரம் ஏன் கொடுக்கவேண்டும்? அவர்களுக்கு அப்படிப்பட்ட வழியைக் காட்டினால் அவர்கள் பின்னடைய ஒரு ஹேதுவாகும். இந்த அம்சத்தை நீக்கும்படியாகக் கேட்டுக்கொள்ளுகிறேன். கீழ்நாட்டார் பக்தி விஷயத்திலும் தெய்வ வழிபாட்டிலும் சிறந்தவர்கள் என்று மேலநாட்டார் நம்மைப் புகழுகிறார்கள். இது நாளதுவரையில் எல்லோருக்கும் தெரிந்த விஷயம். ஆனால் நமக்கு பக்தியோடு சமூக ஐக்கியமும் சேர்ந்திருக்குமேயானால் நம்மையும் நம் நாட்டையும் எல்லா நாடுகளைக் காட்டிலும் யாரும் புகழக்கூடும். சமூக விஷயங்களில் முன்னேற வேண்டும். இப்பொழுது மற்றொரு விஷயம் நான் சொல்லுகிறேன். மற்ற மதத்தினர்கள் எல்லாம் தங்கள் மதத்தில் மற்றவர்களைக் கொண்டுவந்து சேர்த்துக்கொள்ளப் பிரியப்படுகிறார்கள். ஏனென்றால் அவர்களுக்கு ஏராளமாக கூட்டம் சேர்வதோடு அதனால் அந்த வகுப்பினரிடத்தில் ஒரு கௌரவம் ஏற்படுகிறது என்பதும் இருக்கிறது. இது விஷயத்தில் அதற்காக அவர்கள் வேறு விதமான செய்கையாலும் வேலை ஆட்களைக் கொண்டும் நடத்துகிறார்கள். ஆனால் ஹிந்துமதத்தில் அப்படிப்பட்ட செய்கை யாதொன்றுமில்லை. ஹிந்துமதத்தில் என்ன செய்கை நடக்கிறதென்றால் இந்த ஒரு குற்றம்—ஹிந்து மதத்தில் ஏழைகளைத் துரத்துகிறதும் எளியவர்களை துன்புறுத்துகிறதும், எவனாவது கள்ளுக்குடித்துவிட்டால் அதற்கு சட்ட விரோதமான தண்டனைகளைக் கொடுப்பதும், இந்த மாதிரி தொல்லைகள் ஹிந்து மதத்தில் ஜாஸ்தியாக நடக்கின்றன. ஹிந்து மதத்தில் சேர்ந்துள்ளவர்கள் தங்கள் விஷயத்தை பார்க்கவேண்டுமே தவிர ஏழைகளுக்கு இடைஞ்சல் செய்யக்கூடாது. ஹிந்து மதத்தை இது குறைவு பண்ணுவதாகும். அதன் பரப்பு குறைய ஏற்பாடு செய்வதாகும். இதைப் பற்றிய கணக்கை எடுத்துப்பார்த்தால் கொஞ்ச காலத்திற்குமுன் இருந்ததைவிட குறைந்ததாக இருக்கலாம் ஹிந்துக்கள் தொகை. ஹிந்து மதத்திலிருந்து அநேகர்கள் இந்தத் துன்பம் பொறுக்கமாட்டாமல் மாற்ற மதங்களுக்குப் போயிருப்பார்கள் என்று நினைக்கிறேன். தீண்டாதவர்கள் என்று நினைக்கிறவர்களை ஜாதி ஹிந்துக்கள் கண்ணியமாக ஆலயங்களில் அனுமதிக்கக்கூடிய சட்டம் சீக்கிரத்தில் அமுலுக்கு வந்து இந்தக் காங்கிரஸ் ராஜ்யத்தில் நடக்காவிட்டால், மற்ற எந்தக் காலத்திலும் நடக்கப்போவதில்லையென்று எனக்குத் தோன்றுவதால் இதைச் சீக்கிரம் சட்டமாகச் செய்யும்படியாக உங்கள் எல்லோரையும் கேட்டுக்கொள்ளுகிறேன்.”

5 p.m. * SRI J. SIVASHANMUGHAM PILLAI:—“Mr. Speaker, yesterday the hon. Member, Mr. Palat, told us that the Members of the depressed classes are against the Temple Entry Bill. I do not

know on what basis he arrived at that conclusion. He also told us that 27 members of this Assembly voted against the Bill moved by Mr. M. C. Rajah. It is a travesty of facts, as far as I know. Only 26 members voted against the Bill brought by Mr. Rajah; three members voted for it; and one was not present on that occasion. Only 26 members voted against the Bill, and not 27. I do not hold any brief for the 26 members who voted against the Bill moved by the hon. Member, Mr. Rajah.

"We all know that the Bill that was brought forward by Mr. Rajah was drafted by the Hon. Premier, Mr. Rajagopalachariar. He himself asked Mr. Rajah to move the Bill. We also know the history of the Bill: the Bill was prepared by Mr. Rajagopalachariar and he asked Mr. Rajah to move the Bill in the Central Assembly; it was again, at the instance of Mr. Rajagopalachariar that Mr. Rajah withdrew his Bill. Mr. Rajagopalachariar is the *de facto* author of the Bill, while Mr. Rajah is the *de jure* author. Mr. Rajah is only an instrument selected by Mr. Rajagopalachariar to bring in that Bill. People will care more for the words of the *de facto* author of the Bill, than for those of the *de jure* author. The members who voted against the Bill did so, because they knew that Mr. Rajagopalachariar would bring forward a Bill, as he has done to-day.

"The difference between this Bill and the Bill of Mr. Rajah is this. Mr. Rajah moved a Bill relating to the whole Presidency, but this Bill will be enforced in Malabar only. I hope Mr. Rajagopalachariar would bring forward a Bill for the City, then for the Andhra Desa and lastly for the Tamil Nadu.

"My hon. Friend, Mr. Krishna Rao, told us that this Bill was brought forward simply because a similar Bill was brought forward by Mr. Rajah. He is ignorant of facts; that Bill of Mr. Rajah was prepared by Mr. Rajagopalachariar . . ."

* SRI G. KRISHNA RAO:—"I may say that this Bill owes its existence to the promise made by the Hon. Premier to my hon. Friend, Mr. Rajah."

MR. SPEAKER:—"That was a promise made to the House."

* SRI J. SIVASHANMUGHAM PILLAI:—"I request the Hon. Premier to give effect to the Bill as early as possible, so that the people of my community might be benefited."

* SRI S. NAGAPPA:—"అధ్యక్షా, గవర్నమెంటువారిచే ప్రవేశపెట్టబోయే ఈ దేవాలయ ప్రవేశబిల్లుపై వ్యతిరేకంగా మాట్లాడినవారికి జవాబుచెప్పదలచి నేను లేచ లేదు. ఈ బిల్లును M C. Raja గారు పోయిన అసెంబ్లీలో ప్రవేశపెట్టినప్పుడు దానికి మేమందరము వ్యతిరేకంగానున్నామని కొందరు చెప్పినారు. దానికి కారణ మేమిటో ఇపుడు చెప్పదలచుకొన్నాను. మాకు కావలసినది కార్యముగాని కలహము కాదు. అప్పుడు వారు మన మద్రాసు కోస్తాకు అంతకును కావలెనన్నారు. అట్లు చేయుటలో అనేక బాధలున్నాయి. కావున ఏ ప్రదేశములో దీనిని ప్రవేశపెట్టాలో

[Sri S. Nagappa] [2nd December 1938

బాగుగా ఆలోచించి పెడితే బాగుంటుంది కాని ఏ ఆలోచన లేకుండా ఈ బిల్లు పెట్టి హరిజనులకు, హిందువులకు అక్కడ పోట్లాటపెట్టుట పనికిరాదు. ఈ బిల్లుకు అటు చాలామంది వ్యతిరేకము చెప్పుతున్నారు. మీరు రానిస్తే మేము వస్తామన్నాము కాని దౌర్జన్యముచేసి మేము వస్తామని చెప్పుటలేదు. మీ అందరితోపాటు దేవాలయాల లోనికి మేమువస్తామని అడుగుతున్నాము. నమ్మి పిలిస్తే వస్తామన్నాము. మలబారులో మావర్ణస్థులను, అనగా అవర్ణులను దేవాలయములలోనికి రానిస్తే తక్కిన సవర్ణుల తోపాటు, పూజలు, పునస్కారములు చేయనిస్తారని ఆలోచించుచున్నాము. కొన్నాళ్లలో ఇది చక్కగా పనిచేయగలదు. తిరువాన్కూరువాళ్లనిచూచి మనము నేర్చుకోవాలి. హరిజనులకు సవర్ణులకు పోట్లాటపెట్టుటవల్ల ఈపని జరుగదు. మేము వ్యతిరేకంగావున్నామంటే, మేము బుద్ధి తక్కువవాళ్లము కాము. దీనివల్ల అనేక కష్టములు వచ్చునేగాని మాకు లాభముండదేమోయనియు, వారికి మాకు పోట్లాటలు సంభవించునేమోననియు అట్లు చేసినాము.

"ఇంకా కొందరు 'ఈ దేవాలయ ప్రవేశమువల్ల హరిజనులకుమాత్రము లాభమేమిటి' అన్నారు. దీనివల్ల హరిజనులుకూడా ఇతరులతోపాటు ఆ దేవునియందుగల భక్తిని వెలిబుచ్చుటకును, దేవుని ఏవిధంగా దర్శించవలెనో, ఎట్లు పూజించవలెనో తెలుసుకొనుటకును, ఆ సవర్ణులతోపాటు మేముకూడా భక్తి అనురాగము నేర్చుకొనుటకును, వారితోపాటు కలిసిమెలిసి పరిశుభ్రంగా వుండుటకును వారితోపాటు దేవాలయము లోనికి పోవలెనని కోరుచున్నాము. మీరు అనుమతిస్తే మేము వస్తామంటున్నాము.

"మొన్న M. C. రాజాగారు ప్రవేశపెట్టినప్పుడు అనుకూలముగా మాట్లాడినవారంతా నేడు ప్రతికూలముగా మాట్లాడుట చూడగా నాకు చాల వింతగాయున్నది. దీనికి కారణము అది రాజాగారు పెట్టినారని ఇది రాజగోపాలాచారిగారు పెట్టినారు అని తప్ప మరియొక్కటి కనుబడుటలేదు. మేము కూడా దేశములో ఇతర జాతులతోపాటు కలిసిమెలిసి వారి సుగుణములు నేర్చుకొందామని కోరుచున్నాము. బీదలను భాగ్యవంతులతోడి స్నేహములె వారి స్నేహము మాకు మేలును కలుగజేయును. దేవాలయ ప్రవేశములేక మాకు పరిశుభ్రత లేకపోవుటచేతను, జ్ఞానము లేకపోవుటచేతను వాటిని నేర్చుకొనుటకు మేము అడిగినాము. ఒక్క తల్లికన్న బిడ్డలలో పెద్దవానిని సరిగా చూచుటయేమి, చిన్నవానిని సరిగా చూడకపోవుటయేమి, ఇట్టి అన్యాయమును తొలగించి, ఈ బిల్లును చట్టరూపకంగాపెట్టి, అనుమతించి మమ్ములను దేవాలయములోనికి ప్రవేశపెట్టెదరని నమ్ముచు మీరు తలపెట్టిన ఈకార్యము జయప్రదమగునని దలచుచు ఇంతటితో నేను విరమించుచున్నాను."

5-15 p.m. SRI A. KARUNAKARA MENON:—"Mr. Speaker, as one coming from the district of Malabar and as a member of the propaganda committee which is moving about in the district from place to place, I may be permitted to welcome this Bill on behalf of the vast majority of the caste Hindus who are inhabiting this Province. In supporting this Bill, I may say, we are not unmindful, but we are only too conscious, of the great responsibilities attached to the working out of this Bill when it becomes law. It is really a great responsibility that has been thrown on Malabar, since it is expected to behave in such a

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manner as to bring about results which will be an encouragement to the other districts to take up this question very soon.

" But I am extremely sorry, Sir, to see that Mr. Palat who was very enthusiastic in supporting Mr. M. C. Rajah's Bill, has seen fit to oppose this Bill, although this is more restricted in its scope than Mr. Rajah's Bill. I think he is opposed to this measure just because it has proceeded from the Congress Government. Or is he opposed to it because the small section of vested interests that comprises his constituency is opposed to this Bill? If his constituency really consisted of people with seventeenth century ideas, then I say that his duty is to educate his constituency, instead of attempting to convert twentieth century people into those with seventeenth century ideas. I know, Sir, at the same time, that the younger section of most of these trustees' families does not share the opinion of the trustees who out of mere selfishness, oppose this measure."

* SRI R. M. PALAT :—" On a point of personal explanation, Sir."

MR. SPEAKER :—" Unless the hon. Member surrenders, Mr. Palat cannot intervene."

* SRI R. M. PALAT :—" I only want to say that my constituency does not consist of senior members of the family alone; it consists mostly of younger members, and so, it is a mistake to say that my constituency is opposed to this measure just because it consists of older members."

SRI A. KARUNAKARA MENON :—" Mr. Palat's constituency is after all a pocket borough consisting of a small number of landholders and janmis. In most of the Malabar families, it is only the senior members that continue to be conservative in regard to matters like this; but I say the junior members of the families have as much right as the heads of their families to consider such a big problem as this, in all its aspects and express their opinions thereon. And I was really sorry to find that many of the senior members of the families have automatically signed the memorandum sent up to the Government, without really knowing what it contained. As I said, in the case of Mr. Rajah's Bill which applied to the whole Presidency, he thought it proper to support it at least in his individual capacity. But now if he says that on behalf of his constituency he should oppose this Bill which is more restricted in its scope, I must say that it is better he educates his constituents in the matter than oppose the Bill on their behalf.

" And what is it that is attempted to he done under this Bill? The Hindu religion is not touched at all. This Bill attempts to do away with the meaningless custom of untouchability. Hindu religion is not a customary religion; it is based on certain specific

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tenets. The Bill does not interfere with the tenets of the Hindu religion. It only seeks the permission of the caste Hindus to allow Harijans or the excluded castes to enter and worship in the temples. What right has any amongst us to intervene between a Hindu—of whatever caste—and the God that he wants to worship in these temples? The Bill attempts to unite the people of all castes within the Hindu religion in which they believe.

"Now, Sir, this Bill is expected to apply only to public temples; it does not apply to private temples. I deny that all temples in Malabar are private temples. The Hindu Religious Endowments Board has already decided as to which temples are public and which, private. It is too late in the day now to quote 4 Madras, and so on, and say that all Malabar temples are private temples. If, as Mr. Palat says, there are many private temples in Malabar, they are not at all affected by this piece of legislation. It is only the public temples which are now sought to be opened to common worship by all communities within the Hindu fold.

"I ask, has anybody any right to stand up and say that only such and such communities should he allowed into these temples? I may say that if Mr. Palat says that his constituents are not satisfied with this Bill, they must be prepared at least to be patient and to believe in the *bona fides* of the caste Hindus who after all are going to decide this question themselves. Sir, if there is much discontent on the part of the Harijans to-day, it is because they feel that this piece of legislation should have been placed on the statute book long ago. I am sure that when the referendum is made, there will be no two opinions in the country; I am sure that the referendum will end in a victory to this proposal. Therefore, Sir, on behalf of the people of Malabar, I have great pleasure in welcoming this Bill.

"As regards the question as to why Malabar should be chosen first, as one coming from Malabar myself, I may say that no other district is better suited to have this measure than Malabar. Malabar is advanced enough to receive this measure; Malabar is the most literate and educated district in the Province and propaganda on behalf of temple entry has already been going on there ever since 1921. The late Mr. K. Madhavan Menon, whom we all revered so much, had been working there heart and soul for temple entry since the year 1921. There is no district in the whole Province where such work has already been done; and the leaders of the movement in Malabar have shown their readiness to sacrifice themselves in the cause of these so-called untouchables. Soon after the Travancore Temple Entry proclamation, even those who were sceptical about the success of this movement, including prominent men belonging to the priestly classes, welcomed the proclamation with acclamation. Even supposing that Malabar is not sufficiently advanced to receive this measure, I say here, and I am prepared to give the assurance on behalf of the people of

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Malabar, that this Bill, being only a permissive measure, will serve to educate the people and help the Harijans themselves to a very great extent. The two grounds on which Mr. Palat opposed the Bill are: whether this measure is welcomed by the majority of the people of Malabar, and whether it is really a measure in the interests of the Hindu community itself. On both these points, Mr. Palat himself has not been able to advance arguments to the contrary, and has not been able to carry conviction to the promoters of the Bill. Therefore, on behalf even of Mr. Palat, I may say this Bill is welcomed by all except a few. Some modifications may of course be necessary. On behalf of Malabar, I welcome this Bill whole-heartedly."

SRIMATHI A. V. KUTTIMALU AMMA:—"Mr. Speaker, while rising to support this Bill, I am aware of the fact that the Bill offends the sentiments of a certain section of the people in my district, who unfortunately cling to everything that is old with a certain amount of assinine obstinacy. Their number can be counted on the fingers' ends. As the hon. Member for the West Coast Landholders' constituency pointed out last evening, about 300 oppose this innovation. But I am glad that the hon. Member was speaking, as he assured us, only in a representative capacity.

"Some of the hon. Members seem to be under a delusion that this Bill has to be opposed because it applies only to Malabar. As far as I know, Sir, there were instances in this House where particular areas were selected for the operation of some governmental measures. Just as the Leader of the House feels proud that his district had been *selected for the initiation* of prohibition, I feel proud to-day that my district has been selected for the purification of the Hindu religion. (Applause.) Malabar, as is well known, has been described by the greatest of modern reformers, Swami Vivekananda, as the lunatic asylum of India. The caste system as observed in Malabar has led to distinction between man and man, where even the sight of one human being pollutes another, both calling themselves Hindus and believing in the same religion of Sanatana Dharma. Sir, it is only in the fitness of things that the caste Hindu men and women of such a district should be given an opportunity to undo the great wrong that they have done to their own brothers and sisters, and if the measure succeeds, which I am sure it will, it will be easier for the rest of the Province to follow us." (Applause.)

* SRI G RANGAYYA NAYUDU:—"అధ్యక్ష మహాశయా, మన ప్రధానామాత్యుడుగారు కష్టపడి, ఆలోచించి, దేశములో సంచారముచేసి, విషయములు చక్కగా తెలుసుకొని తయారుచేసి ఈ సభయందు ప్రవేశపెట్టిన ఈ బిల్లును చదివినాను. దానితో తృప్తిపొందలేదు. చక్కగా అర్థము చేసుకొన్నాను. ఈ చట్టము ప్రవేశ పెట్టుటకు మలబారు జిల్లాయే తగినదని చెప్పుటకు వెనుదీయను. ఏలనన మన రాష్ట్రమందు 27 జిల్లాలలోను వుండే పరిస్థితులకును మలబారు జిల్లాయందలి పరిస్థితులకును 5-3 p.m.

[Sri G. Rangayya Nayudu] [2nd December 1938

చాలా వ్యత్యాసమున్నది. మలబారు పరిస్థితులు చాల దుఃఖకరమును, శోచనీయము, అప్రశంసనీయములైయున్నవి. మలబారు వీధులలో మాలవాళ్లను నడువనివ్వరు. అచటి బ్రాహ్మణులును, నాయర్లును వారిని నీచముగా చూచెదరు. వారిని సమీపమునకు రానీయరు. 'కేరళం వానరాకారం కుహూ శబ్దనిరంతరం' అను వ్యవహారోక్తి ఒకటి కలదు. అనగా అంటరానివారు మలబారు దేశములో వీధులలో నడుచునప్పుడు గొప్ప జాతులవారు యెదురుగా వచ్చుచున్నట్లు చూచినయెడల ఒకప్రక్కకు ఒదిగి 'కూ, కూ, కూ' అని మూడుమారులు కూత లిడవలయునట. అప్పుడా గొప్ప జాతులవారీ కూతలను విని అంటరానివాడు వచ్చుచున్నట్లు తెలిసికొని దూరముగా తొలగిపోవుదురట. ఇట్టి దురంతములుగల ఈ మలబారులో ముందుగా దేవాలయ ప్రవేశపు బిల్లును ప్రవేశపెట్టుటకు ప్రధాన మంత్రిగారిని ప్రశంశింపదగిన విషయము. ఎదుటి బల్లలమీద కూర్చున్న మనవారు, ఈ చట్టమునకు కొంతమంది ప్రతిఘటించుచున్నారనియు, కొంతమంది అనుకూలంగా లేరనియు చెప్పుచూ, కాలయాపనచేసి దీనిని ప్రతిఘటించవలెనను యుద్దేశ్యములోనున్నారు. కృష్ణా రావుగారు చెప్పిన దేమాత్రమును సమరసముగాను, మానవమాత్రునకు అంగీకరింపదగినదిగాను లేదు. దేవాలయప్రవేశము ఈ సభలోనే అందరి పంచమ సభ్యులకును కూడా యిష్టములేదని చెప్పుచున్నారు. దేవాలయ ప్రవేశమిష్టము లేదని చెప్పిన హరిజను లెక్కడా లేరు. నేను దేశములో సంచారముచేసినవాడను. దీనిని ప్రతిఘటించినవారు వాస్తవంగా వారే దేశములో సంచారముచేసినట్లయితే వారీమాట చెప్పరు. హరిజనవాడలకుపోయి సంచారముచేసినప్పుడు వారి బాధలుచూచిన చాల విచారము కల్గును. ఈ దేవాలయ ప్రవేశమును ముందుగా ప్రవేశపెట్టిన తిరువాన్కూరు మహారాజుగారిని మనము చాలా ప్రశంశించుచున్నాము. నేను దేశములో సంచారము చేసినపుడు అక్కడి హరిజను లిట్లు గోలపెట్టిరి. 'జస్టిసు గవర్నమెంటు యెప్పుడైనా ఈ హరిజనులను గురించి ఆలోచించినారా ? వీళ్ల మొరలు విన్నారా? ఈ కాంగ్రెసు గవర్నమెంటువచ్చి ప్రజలకు యెంతెంత లాభాలు చేస్తున్నారు ! ఒక్క సంవత్సరములోపల అనేక గొప్ప పనిచేసినారే ! మా హరిజనుల వోట్లన్నియు కాంగ్రెసువారికే యిస్తామ'నిచెప్పిరి. వారు చేసిన మద్యపాన నిషేధ చట్టము, ఋణబాధా నివారణ చట్టము, హరిజనులకెంతయో మేలుచేయుచున్నదనికూడా చెప్పిరి. అట్టి హరిజనులు దేవాలయ ప్రవేశానికి వ్యతిరేకంగా చెప్పిరనుట చాల అన్యాయము. మనవారు వాస్తవముగా పోయిన శాసన సభలో **M. C. Rajah** గారు 27 జిల్లాలలోను ప్రవేశపెట్టుటనుగూర్చి తెచ్చిన బిల్లుకే కొందరు వ్యతిరేకించినారు. మద్యపాన నిషేధమును ప్రవేశపెట్టినప్పుడు దానిని ప్రతిఘటించినారు. దానికిని దీనికిని హస్తిమశకాంతము తేడాయున్నది. దానికిని దీనికిని సంబంధమే మాత్రమునులేదు.

“అందువల్ల దీనిని ఒక జిల్లాయందు ప్రవేశపెట్టినను అన్ని రాష్ట్రములలోను ప్రవేశపెట్టినను తప్పకుండా జయప్రదము కాగలదు. దీనిని మలబారులోనే కాకుండా అంతటను ప్రవేశపెట్టవలెను. 215 మంది సభ్యులును మలబారు జిల్లాలో ప్రవేశించి ఈ పనిని జయప్రదంగా కొనసాగించగలరని నమ్మెదను. దీని కెవ్వరును వ్యతిరేకులుకారు. మొన్నమొన్ననే తిరువాన్కూరు మహారాజుగారు మలబారు వెళ్లినపుడచటి ప్రజలు ఈ చట్టమును వారిదేశములో ప్రవేశపెట్టినందులకు వారిని ప్రశంశించుచు గొప్ప సన్మానమును చేసిరి. నేను దేశమంతటను సంచారముచేసిన వాడనగుటచే నేను చూచినంతవరకు పూర్వాచారపరాయణులు నూటికి ఐదుమంది మాత్రమే యున్నారని తెలుస్తోంది. మిగిలిన 95 మందియు హరిజనుల కష్టములును, అంటరాని తనాన్ని తొల

గించు విషయమై అనుకూలంగా ఉన్నారు. సంచారము చేసినవారికి తెలుస్తుంది కాని ఇంటివద్ద కూర్చున్నవారికి తెలియదు. ఈ అంటరాని తనమును మనవారు ప్రతిఘటించుట అంత యుచితముకాదు.

“ అంటరానివారు మన దేశముననే లేరు. దేవతారాధనకు సర్వజనులు సమానులే. నిషేధింపబడదగిన వారెవరును లేరు. అందుకు భగవద్గీతయందు శ్రీకృష్ణ భగవానులు చెప్పిన ఈ క్రింది శ్లోకములే ప్రమాణము :—

శ్లో॥ నాహంవేదైః నతపసానదానేన నచేజ్యయాః
శక్యఏవం విధోద్రష్టుం దృష్టవానసిమాంయథా ॥
శ్లో॥ భక్త్యాత్వ నన్యయాశక్య । అహమేవంవిధోర్జున
జ్ఞాతుంద్రష్టుంచతత్వేన ప్రవేష్టుంచపరంతప
శ్లో॥ మత్కర్మకృత్ మత్ పరమోమద్భక్తస్సంగవర్జితః
నిర్వైరస్సర్వభూతేషు, యస్సమామేతి పాండవ.

“ ‘నేను వేదములచేతగాని, తపస్సుచేతగాని, దానముచేతగాని, యజ్ఞయాగాది క్రతువులచేతగాని చూడబడజాలను ; సాధ్యుడనుగాను. కేవలము అనన్యమైన భక్తిచేత ఏ మానవుడు నన్ను ఎడతెగక ఆరాధించునో వాడే నన్ను చూడగలడు. వాడే నా ప్రియుడు. వానికే నేను మోక్షము నిచ్చెదను.’ అను భగవద్గీత వాక్యములు ప్రమాణములుగావా ? నేను చదివినంతవరకు ఏ మత గ్రంథమునందును, అంటరానివారు కొందరు హిందూ సంఘమున నున్నట్లును వారికి సర్వ మానవ సామాన్యమైన హక్కులు నిషేధింపబడినట్లును చూడలేదు. కనుక పూర్వాచార పరాయణ తత్వమునే పట్టుకొని వూగులాడు మనవారు ఇట్టి ప్రమాణములలోని అర్థములనైనను పరిపూర్ణముగా గ్రహించి అంటరానివారని చెప్పబడేవారు దేవాలయములలో ప్రవేశించి ఈశ్వరారాధన చేయుట కెట్టి ఆటంకమును కలుగజేయరని నాదృఢనిశ్చయము. వారు ఉదార స్వభావులగుదురని నా ప్రార్థన.”

[At this stage Srimathi Rukmini Lakshmipathi occupied the Chair.]

* **SRI A. SUBRAHMANYAM**:—“*கனம் பொருந்திய தாயே!” அன்பர்பணி செய்ய என்னை ஆளாக்கிவிட்டுவிட்டால் இன்பநிலை தானே வந்தெய்தும் பராபரமே” என்று தாயுமானவர் கூறியவாறு அன்பர்களுடைய இந்தப் பெரிய விஷயத்தைப்பற்றிப் பேசும்படி இந்த சந்தர்ப்பத்திலே எனக்கும் ஒரு பெரிய சந்தர்ப்பம் கிடைத்ததைப்பற்றி நான் பெருமை அடைகிறேன். பொதுவாக பரந்த இந்தியா தேசத்தில் குறிப்பாக ஹரிஜனங்கள் விஷயத்தில் அவர்கள் தாழ்ந்தவர்கள் என்றும் ஏனைய வகுப்பார்களை உயர்ந்தவர்களென்றும் அநேகர் கூறிக்கொண்டுவருவதை அநேக பெரிய தீர்க்கதரிசிகள் அந்தந்தக் காலங்களில் தோன்றி அந்தந்த சந்தேகங்களுக்குத் தகுந்த ஆதாரங்களை எடுத்துக்காட்டி உயர்வு தாழ்வு, பிறப்பினால் கிடையாது என்பதை நிரூபித்திருக்கிறார்கள். இந்த அளவிலே ஒரு சிலர் என்ன கூறுகிறார்களென்றால், இந்த தேசத்தில் தீண்டாமை யென்பது வாஸ்தவத்திலே இருந்தது என்றும், சிலர் இடைக்காலத்திலே உண்டானதென்றும், பலரும் பலவிதமாகச் சொல்லிக்கொண்டுவருகிறார்கள். நான் சென்ற சட்ட மறுப்புக் காலங்களில் சட்டத்தை மறுத்ததின் பலனாய் சிறையில் இருக்கும்படியான ஒரு பெரும் பாக்கியம் கிடைத்தது. அந்தக் காலத்திலே நானும் அநேக சரித்திரங்களை ஏராளமாகப் படித்துக் கரைத்துக் குடித்துவிட்டிருக்கின்றேன். தீண்டாமைக்கு எந்தச் சரித்திரத்திலும் தகுந்த*

ஆதாரங்களில்லை யென்பதை நான் நிரூபித்துக் காட்டவும் தயாராக இருக்கிறேன் என்பதையும் தெரிவித்துக்கொள்ளுகிறேன். நம் கனம் பிரதம மந்திரி அவர்கள் இவ்விஷயத்தில் நன்கு பற்றுதல் உடையவரானதால் நன்றாக ஆலோசனை செய்து இந்த ஆலயப் பிரவேச மசோதாவைக் கொண்டுவந்து தமிழ் நாட்டுக்கு மட்டுமல்ல இந்தியாவிலேயே இந்த மாதிரி புதிய முறையில் சட்டத்தைச் செய்து ஜனங்களிடையே பரப்பி, ஒரு உணர்ச்சியையும் உத்தேசத்தையும் பாமர மக்களிடையே வேண்டுமென்று உண்டாக்கி செய்து பொதுஜனங்கள் மனம் மாறுதலடைய வேண்டுமென்று கொண்டு வந்த பெரிய சட்டத்தை நாம் மனப்பூர்வமாக ஆதரிக்கவேண்டும். சென்ற இரண்டு மாதகாலமாக என்னுடைய தொகுதியில் நான் சுற்றுப் பிரயாணம் செய்த காலத்தில் இந்த விஷயமாக பல கிராமங்களில் நடந்த தர்க்கங்களில் நான் கலந்துகொள்ள நேரிட்டது. ஒவ்வொரு கிராமத்திலும் 5 மணி நேரம், 7 மணி நேரம், தக்கவாறு ஆக்ஷேபனைகளுக்கு பதில் கூறும்படியான சந்தர்ப்பம் கிடைத்திருக்கிறது. இதை ஒரு ஜில்லாவுக்குக் கொண்டு வருவதைப்பற்றி, குறிப்பாக மலையாளப் பிரதேசத்தில் கொண்டுவருவதைப் பற்றி நாம் பெருமை அடையவேண்டும். திடீர் என்று ஒரு காரியத்தைப் பற்றிக் கூறிவிடலாம். அதை நிறைவேற்றி வைப்பதுதான் அசாத்தியம். சமைப்பதற்கு அடுப்பு, சட்டி, விறகு, நெருப்பு, ஜலம் எல்லாமிருக்கிறது. ஆனால் அரிசி மட்டும் கிடையாது. அதுபோல சட்டசபையில் பிரதிநிதிகள் இருக்கிறார்கள் ; சட்டமுமிருக்கிறது ; ஆனால் பொது ஜனங்களின் மனமாறுதல் இல்லை. ஆகவே, மக்களுக்கு கிராமங்களுள் இந்த விஷயத்தில் அதிகமான உணர்ச்சி கிடையாது என்பதை நாம் அறிவோம். அரிசியின் உதாரணம் போன்ற அன்பைத் தீண்டாதவர்களிடத்தில் பரப்பவேண்டுமென்ற நிலைமையில் இருக்கிறோம். பாரதியார் அவர்கள் "ஜாதிகள் இல்லையடி பாப்பா, குலத்தாழ்ச்சி உயர்ச்சி சொல்லல் பாவம், நீதி, உயர்ந்த மதி, கல்வி, அன்பு நிறைய உடையவர்கள் மேலோர்" என்று சொல்லியிருக்கிறார். இந்தச் சட்டத்தை இந்தச் சட்டசபையில் எதிர்க்கக் கூடியவர்கள் இருப்பார்களானால் இதை உணர வேண்டுமென்று அவர்களை நான் கேட்டுக்கொள்ளுகிறேன். ஸ்வாமி விவேகானந்தர் அவர்களின் அரிய மொழிகளையும் எதிர்க்கக்கூடியவர்களுக்கு ஞாபகப்படுத்தி விட்டு அமருகிறேன். "ஏழை இந்தியனும், பணக்கார இந்தியனும், பிராமண இநதியனும், பறைய இந்தியனும்,எல்லோரும் ஒரே இரத்தத்தில் பிறந்தவர்கள் என்பதை நீ மறவாதே ! என் மனம் துடிக்கிறது ; ஏழைகளின் நிலை என்னை வாட்டுகிறது. லக்ஷக் கணக்கான இன்னாட்டு மக்கள் எல்லாம் பசியாலும் அறியாமையாலும் அலைந்து திரிந்துகொண்டிருக்கும்பொழுது அவர்கள் உதிரத்தால் வளர்ந்து கல்வி கற்று அவர்களுக்குச் சேவை செய்யாதிருக்கும் ஒவ்வொருவனையும் கேடு நிறைந்த அயோக்கியன் என்றே கூறுவேன். பசிப்பிணியால் பலகோடி மக்கள் பரதவிக்கும்பொழுது அவர்கள் உதிரத்தால் இவர்கள் உன்னதமாய்வாழ என்ன உரிமையுண்டு ? ஓ ! வீரனே, நான் இந்தியன் என்பதைப் பற்றிப் பெருமை பாராட்டு. ஒவ்வொரு இந்தியனும் என் சகோதரன் என்று சாற்று. இந்தியாவின சேவையே என் சேவை. ஏ ! பலதாயினி ! என் பேடித்தனத்தை நீக்கி என்னை ஆண்மகனாக்கு" என்று கூறினார். ஆகவே இந்த மசோதாவை நான் ஆதரிக்கிறேன்" "

* Sri D. GOVINDA DOSS.—" నేడు ప్రవేశపెట్టబోయే హరిజన దేవాలయ ప్రవేశ బిల్లునుగూర్చి కొన్ని విషయములు చెప్పదలచుకొన్నాను. ఇందులో మత ధర్మము ననుసరించియో మరి ఏ కారణముచేతనో కొంతమంది సభ్యులు దీనికి చాలా వ్యతిరేకముగా మాట్లాడినారు. ఇందుకు కారణమేమన హిందూ ధర్మమునకు కళంకమనియో లేక నిజముగా వారిపై అసహ్యముచేతనో, హరిజనులపై ద్వేషముచేతనో వారు ఈ బిల్లుకు వ్యతిరేకముగ మాట్లాడినందున, మిగిలిన క్రైస్తవులును, మహమ్మదీయులును ఈ విషయములో ప్రవేశించి మాట్లాడుటకు సందుగల్గినది. లేకుండిన వారు దీనిలో

ప్రవేశించేవారు కారు. ఐతే ఇంత మహమ్మదీయులు తమ దేవుళ్లకు హరిజనులు ఎక్కువగ మొక్కులు చెల్లించుచు పండుగులు చేయుదురుగాన హరిజనులకు దేవాలయ ప్రవేశమిచ్చిన తమ దేవుళ్లకు మొక్కులు చెల్లించుట తప్పుననే యుద్దేశ్యమో, మరి యే యుద్దేశ్యముతో మాట్లాడిరో తెలియదు. నిజముగా క్రైస్తవులుకూడా, ఇదివరలో వేలకొలది హరిజనులు క్రైస్తవులగుటవల్ల ఈ దేవాలయ ప్రవేశము క్రైస్తవ మతమునకు కొంచెము లోటు కలుగుతుందని వీరు మాట్లాడుతున్నారని నాకు తోచుచున్నది. హరిజన దేవాలయ ప్రవేశమునుగూర్చి ఇతర మతస్థులయిన మహమ్మదీయులును, క్రైస్తవులును ఇందులో పాల్గొనుటకు కారణ మేమో పాపము. ఈ బిల్లునుగూర్చి అనేక పేపర్లలో అనేక విధములుగా వ్రాయుట నేను చూచినాను. నిజముగా హిందూ మత ధర్మముల నుద్ధరించుటకు కంకణబద్ధుడైన ఆ మహాత్మా గాంధీగారు ఈ హరిజనోద్ధరణమునకు సహాయభూతులైయున్నారు. ఈ విషయములో ఏ ఆటంకము లేకుండా, హరిజనులకు ఇట్టి సౌకర్యములు చేయగలమని శ్రీ రాజగోపాలాచారిగారు కొంచెము కొంచెముగా దీనిని ప్రవేశపెట్టదలచినారు. ఈ విషయములో ఏలాటి ఆటంకములులేవని నాకనేక శాస్త్రములవల్లను, ధర్మములవల్లను చక్కగా తెలియును. హరిజన దేవాలయ ప్రవేశమువల్ల మా అందమును, ఆరోగ్యము, పెంపొందించుకొనుటకును, సవర్ణులతో కలిసిమెలిసి యుండుటకు ఏ అంటుదోషము లేకుండా వుండిన ఆర్థికస్థితిని పెంపొందించుకొనుటకుగాను సవర్ణుల ఇండ్లలో ప్రవేశించుటకుగాను వారు హరిజనులను తమ పనులకై ఇండ్లయందు వుంచుకొనిన బాగుండుననని మా అభిప్రాయము. మా హరిజన సోదరులు చెప్పిన వాటిలో కొన్ని లోట్లు వుండవచ్చుననుకొందును. ఏమనగా, దేవాలయ ప్రవేశము అన్ని జిల్లాలలోను ఇస్తే మనకు బాగుండునుగాని, ఒక్క జిల్లాకు ఇచ్చినను ఇవ్వకపోయినను ప్రయోజనములేదని చెప్పినారు. దీనిని మొదట మలబారులో ప్రవేశపెట్టి ఇది అచట ఎంతవరకు లాభించునో చూచిన తరువాత మిగిలిన ప్రదేశములలో ప్రవేశపెట్టుట మంచిది. కావున మన సోదరులు దాని కామోదించి ఈ బిల్లును ప్రవేశ 5— p. పెట్టినందులకు ఆనందించెదరని నా మనవి."

SRI N. ANNAMALAI PILLAI:—"கனம் தலைவர்களே ! எனக்கு முன் நமது தலைவர் கனம் பிரதம மந்திரியார் அவர்களால் சமர்பிக்கப்பட்டிருக்கும் இந்த மலபார் தேவாலயப்பிரவேச மசோதாவை ஆதரிக்கவே நான் இந்த சபை முன் நிற்கிறேன் எனக்கு முன் பேசியவர்கள் எதற்காக இந்தக் காரியம் செய்யவேண்டியது என்பதைப் பற்றி விஸ்தாரமாகப் பேசி விட்டார்கள். அதை எதிர்த்துப் பேசினவர்களும் அதைப்பற்றி விஸ்தாரமாகப் பேசிவிட்டார்கள். ஆனால் நான் சென்ற 20 வருஷகாலமாக நமது தலைவர் கனம் இராஜகோபாலாசாரியார் அவர்கள் தலைமையில் இந்த தேசத்தில் நடந்து வந்த வேலையில் முதன்மையாக வகுக்கப்பட்ட மூன்றுதிட்டங்களை நிர்மாண திட்டமாக வேலை செய்து வந்தது எல்லோருக்கும் தெரியும். கதர், மதுவிலக்கு, தீண்டாமை ஒழிப்பு என்ற மூன்று திட்டங்களை காங்கிரஸில் புகுத்தி இதுவரையில் வேலைசெய்து வந்தோம். அந்த வேலையின் பயனாக பொது மக்கள் கடந்த தேர்தலில் காங்கிரஸை ஆதரித்து பெருவாரியான வாக்காளர்கள் பெருவாரியான வோட்டுக்கள் கொடுத்து எங்களைத் தேர்ந்தெடுத்து அனுப்பியிருக்கிறார்கள். ஆகையினால் இந்தத் தீண்டாமை ஒழிப்பைப்பற்றி ஆக்ஷேபிப்பதற்கு இடமேயில்லை. இந்தத் தீண்டாமை ஒழிப்பை எந்தவிதமாக நடத்தி வைக்க வேண்டுமென்பது இப்பொழுது ஏற்பட்டிருக்கும் காங்கிரஸ் ஸர்க்கார் ஒன்றுக்குத்தான் தெரியும். எந்த சமயத்தில் எந்த விதமாக இதை நடத்தினால் அதனால் ஜயம் அடையமுடியும், வெற்றி அடைய முடியும், காங்கிரஸ் நிர்மாண திட்டத்தில் ஒரு அம்சமான தீண்டாமையை எப்படிப்போக்க

முடியுமென்பதைப்பற்றி இப்பொழுது ஏற்பட்டிருக்கும் காங்கிரஸ் ஸர்க்கார் இதை நன்றாக தெரிந்து கொண்டிருக்கிறார்கள். அதற்கு தகுந்தாற் போல் இந்தத் திட்டத்தைவரையறுத்து இந்தச் சட்டம் கொண்டு வந்திருக்கிறார்கள். இந்த விஷயத்தில் சிலர் ஏதோ தப்பபிப்பிராயம் வைத்துக் கொண்டு பேசியிருக்கிறார்கள். என் நண்பர் கனம் எம். சி. ராஜா அவர்கள் சமீபத்தில் சென்ற சட்ட சபையில் கொண்டு வந்த தனது தீர்மானம் பூராவாகவும் ஆதரிக்கப்படவில்லை என்று வருத்தப்படுகிறார் என்பது மறக்க முடியாது. அவர் கொண்டு வந்த பில்லும் நியாயமாகவும் நேர்மையாகவும் அவர் மனதுக்கு திருப்திகரமானதாகவே கொண்டு வந்திருக்கிறார். அவர் ஹரிஜன சமூகத்தின் தலைவர் என்ற கடமையை செயவதைத் தவறாமல் பில் கொண்டுவந்து ஜன சமூகத்திற்கு முன் எங்கள் கஷ்டங்கள் இன்னும் நீங்கவில்லை என்று பேசியிருக்கிறார், விவரித்திருக்கிறார். ஆனால் இதை நடத்திச் செல்லுவதற்கு என்ன வசதி இருக்கிறது என்பதை அறிந்த பொறுப்பு இருக்கிற நம் தளகர்த்தர் தான் நடத்த முடியும். உப்பு சத்தியாக்கிரகம் நடத்திய காலத்தில் நம் தலைவர் சக்கிரவர்த்தி ராஜாஜி அவர்கள் ஒரு ஜில்லாவில், தஞ்சை ஜில்லாவில், சத்தியாக்கிரகத்தை ஆரம்பிக்க வேண்டுமென்று உத்திரவு கொடுத்தார். அதே மாதிரி மதுவிலக்குத்திட்டத்தை நடத்த ஆரம்பித்தபோது ஒரு ஜில்லாவாகிய சேலத்தில் ஆரம்பித்தார். இப்பொழுது தீண்டாமை என்பதைப் போக்க மலபார் ஜில்லாவை அவர் எடுத்துக்கொண்டிருக்கிறார். இதில் யாரும் சந்தேகிப்பதற்கோ, சஞ்சலப்படுவதற்கோ, குறை கூறுவதற்கோ இடமே இல்லை. முதலாவது நாம் செய்யப்போகிற வேலைக்கு பொது ஜனங்கள் அபிப்பிராயம், தேச மக்கள் அபிப்பிராயம் திரட்டிக் கொள்ள வேண்டியது முக்கியமான காரியம். சட்ட சபையில் அங்கம் வகித்திருக்கிறவர்கள் ஜனங்களுடைய எல்லா உண்மையான அபிப்பிராயங்களையும் அறிந்து பின்பற்றுவதாக நாம் நினைத்துக்கொள்ளுவதற்கில்லை. பொது ஜனங்கள் நம் நோக்கம் என்ன என்பதை கொஞ்ச காலமாக அறிந்திருந்தாலும் அதை அமுலுக்குக் கொண்டு வரும்போது பொது ஜனங்கள் அறியும்படியாக ஒரு காரியத்தை ஆரம்பித்தால் ஆங்காங்கு தானாகவே நடைபெறுகிறது. மலபாரில் சட்டம் ஏற்படுத்தி அங்கே இந்த மசோதாவை நிறைவேற்றும் காலத்தில் என்னைப்போலுள்ள வேறு ஜில்லா வாசிகள் சும்மா இருக்கப் போவதில்லை. இன்று மலையாள தேசத்திற்கு இந்த பெரும் பாக்கியம் கிடைத்து விட்டது ; அது இந்தப் பெருமையை பெற்று விட்டது. இந்தச் சட்டத்தை வட ஆற்காடு ஜில்லா, தென் ஆற்காடு ஜில்லாவிலுள்ள நாங்கள் வரவேற்கிறோம். எங்கள் கடமையைச் செய்வோம். எல்லா ஜில்லாக்களிலும் ஏக காலத்தில் கொண்டு வந்து நிறைவேற்றுவதற்கு முடியாது. நிர்வாகத்தை நடத்த இருக்கிற பொறுப்பையும் ஒரு பக்கத்தில் நம் பிரதம மந்திரி சி. இராஜகோபாலாசார்ரி அவர்கள் உணர்ந்திருக்கிறார். நிர்வாகத்தை நடத்த பொறுப்பை ஏற்றுக்கொண்டிருக்கிறவர் அந்தக் கடமையைச் சரியாகச் செய்து வரவேண்டும். காங்கிரஸ்காரரர்கள் எந்தக் காலத்தில் என்னென்ன உறுதிமொழிகளைக்கூறி வாக்காளர்களுக்கு வாக்குக் கொடுத்து வாக்குப்பெற்ற போதிலும் சரி அவர்கள் சொன்ன வாக்குக்களை நிறை வேற்ற கடமைப்பட்டிருக்கிறார்கள். யார் எதிர்த்தாலும், யார் சாதகமாக இருந்தாலும் கடமையைச் செய்ய நாங்கள் கடமைப்பட்டிருக்கிறோம். காங்கிரஸ் ஸர்க்கார் செய்வார்கள். கனம் எம். சி. ராஜாவைப் போன்றவர்கள் துரிதமாக இந்த இன்பத்தை எல்லோரும் அனுபவிக்க இடம் கொடுக்க வேண்டுமென்று ஆசைப்படுவது சகஜமே. இந்த ஆசை இருக்க வேண்டியதுதான். அந்த சமூகத்தினர் படும் கஷ்டத்தை உணர்ந்த ஒரு ஸர்க்கார் பொறுப்பை ஏற்றுக் கொண்டிருக்கும் சந்தர்ப்பத்தில் அதைச் செய்யவேண்டியது அவர்கள் கடமைதான். இதை வெளியிட்டதில் ஆக்ஷேபனைகளில்லை. இதை ஒரு காரணமாக வைத்துக்கொண்டு அதன் மீது கோட்டைகட்ட சிலர் முயற்சி செய்தார்கள். அதனால் என்ன நிகழும் என்றால் ஒன்றும் பிரயோஜனமில்லாமல் போய்விடும். எந்த விதமான கோட்டைகட்ட

2nd December 1938] [Sri N. Annamalai Pillai]

முயர்ச்சித்தாலும் நாங்கள் மாத்திரம் எங்கள் கடமையைச்சரியாகச் செய்து நாங்கள் கொடுத்த உறுதி மொழிகளை நிறைவேற்றியே தீருவோம். சந்தேகத்திற்கு இடமே இல்லை. ஒரு ஜில்லாவில் இந்த மசோதாவை நிறைவேற்றுவதற்கு ஆரம்பித்திருக்கிறோம். அதற்கு சூசகமாக எல்லோரும் ஏகமனதாக ஆதரவு கொடுக்கவேண்டும். வீண் குறைகூறிக் கொண்டிருப்பதில் பிரயோஜனமில்லை. அனுதாபம் காட்டவேண்டும். ஹரிஜனங்களிடத்தில் அனுதாபம் உள்ளவர்கள் ஆதரவு கொடுக்கவேண்டும். இப்பொழுது நம்முன் இருக்கும் இந்த பில்லை ஆதரித்து அதை நிறைவேற்றினால் மலபாரில் நடக்கிற வேலையின் காரணமாக இந்த பில் மற்ற ஜில்லாக்களிலும் தானாக நடைபெறும். சேலம் ஜில்லாவில் மதுவிலக்கு பிரசாரத்தை ஆரம்பித்தோம். அடுத்த வருஷத்தில் சித்தூரிலும், கடப்பையிலும் ஆரம்பித்திருக்கிறோம். ஏககாலத்தில் எல்லா இடங்களிலும் வேலை ஆரம்பித்திருந்தால் நிர்வாகம் ஸ்தம்பித்துப்போய்விடும். இந்த நிர்வாகம் ஸ்தம்பித்துப்போகவேண்டுமென்ற எண்ணமுடையவர்களை, காங்கிரஸ் சர்க்கார் ஸ்தம்பிக்கவேண்டுமென்ற எண்ணமுள்ளவர்கள் இந்த மாதிரி குறை கூறலாமே தவிர வாஸ்தவத்தில் நிர்வாகம் சரியாக நடைபெறவேண்டும், இதில் க்ஷேமமும் நன்மையுமிருக்க வேண்டுமென்ற விருப்பமுடையவர்கள் இவ்வாறு பேச இடமேயில்லை. எல்லா இடத்திற்கும் வந்தால் நல்லது என்று பேசலாம். அது அவர்கள் மனச்சாக்ஷிக்கு சரியாக இருக்கலாம். ஆனால் நிர்வாகத்தை நடத்துகிறவர்கள் எவ்வளவு தூரம் நடத்த முடியும், இதை எவ்வளவு தூரம் கையாளமுடியும், இதற்கு ஆதரவு எவ்வளவு தூரம் இருக்க முடியும், எவ்வளவு தூரம் அதை உபயோகப் படுத்தலாம் என்பதை உணர்ந்துதான் நம் தலைவர் கனம் சக்கிரவர்த்தி இராஜகோபாலாசாரியார் அவர்கள் இந்த பில்லைக்கொண்டு வந்திருக்கிறார். அதனால் எல்லோருக்கும் பெரிய நன்மையும் உண்டு. நாட்டில் தீண்டாமை அடியோடு ஒழிந்து போவதற்கு ஆரம்பமாக, சட்ட பூர்வமான ஆரம்பமாகும். எல்லா இடங்களிலும் இதை ஆரம்பித்திருந்தால் நம் வேலை ஸ்தம்பித்துப் போய்விடும். அதனால் பலன் ஏற்படாது. பல இடங்களிலும் என்று இல்லாமல் நிர்வாகத்தை சரியாக நடத்திச் செல்லுவதற்காக இப்பொழுது ஆரம்பித்திருக்கும் இந்த மலபார் தேவாலய மசோதா தான் சரியானது. இந்த முறையைத்தான் கையாள வேண்டும். உப்பு சத்தியாக்கிரகத்தையும், மதுவிலக்குப்பிரசாரத்தையும் ஞாபகப்படுத்திக் கொண்டு இந்த பில்லுக்கும் எல்லோரும் ஆதரவு கொடுத்து பக்கபலமாக இருந்து காரியத்தை நடத்திவைக்கவேண்டும். நாம் தீர்மானத்தை நிறைவேற்றிவைத்துவிட்டு, சட்டசபை மண்டபத்தில் பேசிவிட்டுப் பின்னால் ஆதரவு கொடுக்காமல் ஒதுங்கி நின்றுவிட்டால் பிரயோஜனப்படாது. இப்பொழுது எவ்வளவு ஆதரவு கொடுக்கிறோமோ இது போல் பின்னாலே கூடவே இருந்து நடத்த வேண்டும். இந்தச்சட்டத்தை நிறை வேற்றிவைக்கவேண்டுமென்று கேட்டுக்கொள்ளுகிறேன்."

* SRI RAO BAHADUR M. C. RAJAH:—"Deputy Speaker, 6 p
Madam, I have already spoken on this subject of temple entry and the House is well aware of my views on this subject. Last night we heard the eloquent speech of the Hon. the Premier in defence of the opening of temples to the excluded classes, while introducing the Malabar Temple Entry Bill. I am not surprised at the speech because I have been listening to a number of similar speeches which he has been delivering for the last seven years in the very same strain. I understand he made the speech to convince some members here, but I doubt very much whether he is convinced that this question is very important and immediate. It is something like saying, 'Do as I say, but not as I do.' That has been the order of the day nowadays.

[Sri M. C. Rajah] [2nd December 1938

" As a matter of fact, when I moved for reference to the Select Committee the Madras Temple Entry Bill which was drafted by no less a person than the Hon. the Premier himself, and which was introduced by me in this Legislature, there was no such opposition as we see here to-day. What is all this opposition due to? Is it not due to the Premier killing that Bill on the floor of this House with the mechanical majority he has in his hands? If he had accepted that Bill then, and extended its provisions only to the district of Malabar, he would not have had to face the music to-day in this House. My friend, Mr. Palat, who supported my motion that day and voted with me, is opposing it to-day."

SRI RAMALINGA REDDIYAR :—" Whose fault is it? "

* SRI RAO BAHADUR M. C. RAJAH :—" It is the fault of the Premier. I do not blame my friend, Mr. Palat, because he made it quite clear that his heart is with the Bill but that he spoke on behalf of his constituency. One cannot expect this son of the great man, Sir Sankaran Nayar, a great social reformer, to come and oppose this Bill, and that in the year 1938. He has done it for his constituency. His constituency gave him a mandate to express its view before the House, and he has done it. In that connexion, I should like to correct Mr. Palat, when he said that the mass of Harijans are against this Bill. He quoted the fact that 27 members belonging to the depressed classes who are in the Congress party voted against the Bill. When a similar question was put to the Hon. Premier some time back, he answered by saying—let me quote his own words, because that will be a fitting answer to my friend, Mr. Palat,—' Some say that the untouchables do not desire to enter our temples. This is because we have trained them to do it as we train bullocks and horses. If a step-mother ill-treats her step-child, he will go to the neighbour. Is it an excuse for the mother to say that the boy does not come home for food? ' So, Mr. Palat should know that the Premier is as good as any trainer of horses or of any other animal. You know how they train animals, in the circus. The Premier has trained them to do so and therefore they have voted against the Bill. (Cries of ' No, no.') Do not be under the impression that you can browbeat me by these interruptions. (Interruption by some hon. Members of the House.) Deputy Speaker, Madam, if they are going to interrupt me, I am prepared to answer every member of the House, but it will take the time of the House, and you may pull me up saying that I have taken too much of the time of the House."

THE DEPUTY SPEAKER :—" The speaker may go on."

SRI T. VISWANATHAM :—" Madam, it is no interruption, but a point of order we raise. The hon. Member has no right to use all these expressions. First of all he said ' it is a mechanical

majority '; then he said ' we are bullocks and horses.' I want to know whether it is open to any hon. Member of the House to call the others ' horses and bullocks '."

[At this stage, the Speaker resumed the Chair.]

MR. SPEAKER:—" Mr. M. C. Rajah may go on."

* SRI RAO BAHADUR M. C. RAJAH:—" Sir, my friend, Mr. T. Viswanatham, the Parliamentary Secretary, interrupted and seemed to raise a point of order. He said that I called some members of this House bullocks and horses. I did not call them so. It was the Premier who called them so. I am merely quoting his own words."

The Hon. Sri C. Rajagopalachariar rose to speak.

MR. SPEAKER:—" Is the speech finished?"

* SRI RAO BAHADUR M. C. RAJAH:—" No, Sir, I have just begun."

* THE HON. SRI C. RAJAGOPALACHARIAR:—" He was in the middle of it when a point of order was raised on a matter which purports to be a quotation from what I had said on another occasion, and it was sought to be made out by Mr. Viswanatham that the speaker in possession of the House had said something which was objectionable in respect of some of the members of this House. But now Mr. Rajah defends it by saying that I had said it and that he only repeats it. It comes to this: that I have called some members of this House by a wrong name. It is my right therefore to explain. Mr. Rajah has misapplied the quotation which he has correctly made from what I had said."

MR. SPEAKER:—" The explanation may come afterwards. The words ' mechanical majority ' need not be fought out."

* THE HON. SRI C. RAJAGOPALACHARIAR:—" It has nothing to do with the ' mechanical majority ' point. It is a little more substantially wrong to me. The ' mechanical majority ' point, I reserve for explanation at the end. I will explain the other thing. What I meant to say was that the Harijans as a class do not claim to enter temples, because they have been brought up in that particular manner. But that Mr. Rajah should seek to make out that the 27 votes of the Harijan members of this House were forced by me as one forces a habit in horses, is, I think, objectionable. If I have said it, it is more objectionable for Mr. Rajah to impute that I said it."

MR. SPEAKER:—" It was only a matter of explanation. I think Mr. Rajah need not hammer it further."

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* SRI RAO BAHADUR M. C. RAJAH :—" I was answering my friend, Mr. Palat, and defending the Premier as regards this Bill. I am doing his work. It was his business to answer Mr. Palat. I am answering for the Prime Minister. Instead of thanking me, Sir, . . ." (Laughter.)

MR. SPEAKER :—" I think the Premier will give his thanks if necessary at the end."

* SRI RAO BAHADUR M. C. RAJAH :—" Then, Sir, Mr. Palat said, 'Why hurry? Wait.' Even this, I want to answer and help the Premier by giving quotations from his own speeches. I think I can effectively answer Mr. Palat by quoting what the Premier said on another occasion. He said, 'You want swaraj. You all want self-government. The Britisher would feel very grateful to you, if you could wait for a little more time, till he settles his economic difficulties. Would you wait? Is it not enough that you had been under the British rule for the last 150 years?' The same answer I shall give to Mr. Palat in this connexion. Why should we wait any longer? Where there is a proved or admitted wrong, there is no justification to keep it going any longer, even for a single day. Mr. Krishna Rao who also opposed the Bill said that public opinion is not in favour of the Bill. But there is ample evidence to show that public opinion is in favour of the Bill.

" But what has happened in the interval between the 17th August 1938 and to-day is that public opinion has gone backwards. That was due to the attitude of this very House. That was due to the attitude this House took with refereuce to the other Bill which was introduced on the 30th March 1938. Till I moved to refer the Bill to a Select Committee on the 17th August 1938, there was no public opinion against the Bill. Not a single dissentient voice was raised here either on behalf of the members here, or on behalf of the Sanatanist opinion outside."

MR. SPEAKER :—" I may inform the hon. Member that the Chair has received a number of letters regarding the Bill of Mr. M. C. Rajah . . ."

* SRI RAO BAHADUR M. C. RAJAH :—" I am referring to the opinions, letters and protests that appeared in the Press."

MR. SPEAKER :—" But as they were not public petitions addressed to the Legislature, they were not placed before the House."

* SRI RAO BAHADUR M. C. RAJAH :—" Even so, Sir, public opinion against the Bill has developed still more now. It is because of the attitude of this House in killing, stifling, that Bill. Mr. Krishna Rao said that even Diwan Bahadur R. Srinivasan is against temple entry. I may correct him by saying that it is not so. Diwan Bahadur Srinivasan has published a leaflet in which he says that important temples in South India belong to the depressed classes."

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* SRI G. KRISHNA RAO:—" A word of explanation, Sir, I wish to say that I based my statement upon the statement issued by Diwan Bahadur Srinivasan and which appeared in the *Madras Mail.*"

* SRI RAO BAHADUR M. C. RAJAH:—" The statement published by Diwan Bahadur R. Srinivasan, if I remember correctly, states: 'We, the depressed classes, are not going to worry with the temple entry problem. It is the duty of the caste Hindus to open the temples for us. When they are opened, then we shall see whether we should enter or not.' That was what Diwan Bahadur Srinivasan had stated. (Interruption.) I am glad that Mr. G. Krishna Rao accepts this. If he does not believe what I say, I shall make a present of a copy of the pamphlet, so that he may read Diwan Bahadur Srinivasan's opinion. (Laughter.) 6-15 p.m.

" Coming to this Bill, Sir, I do not believe that the Hon. the Premier has acted wisely in this matter. When a person wants to sow, the first thing he does is to select the softest soil, the soil that is congenial to the growth of the plant and then he sows the seed. In such a case he will get a luxuriant harvest, pleasant to look at, and beneficial not only to himself but to others as well. As you all know—and I dare say that the Hon. the Premier also will admit it—Malabar is the most difficult of all the districts in this Presidency for a measure like this. Nowhere in the whole Presidency is the stigma of untouchability more perceptible than in Malabar, aggravated as it is by feelings of unapproachability and unseeability. So much so that Swami Vivekananda described Malabar as the 'lunatic asylum of the Presidency.' (Laughter.) I shall be glad to know that his description of Malabar in respect of the treatment accorded to the depressed classes there is wrong, and that Malabar has outgrown the times in which that description was made. But what I know is that untouchability has been in the grossest and most inhuman form in Malabar. There, even the look of a depressed class man is supposed to pollute, and not merely the touch and the shadow. What has happened in such a place as to merit the Hon. Premier choosing it—a rocky place to sow his seed? There was a silent and passive consent on the part of the orthodox people of that place over this question until the other Bill was killed in this House, and now they have come forward with their objection. I say that this is all due to the activity of the Hon. the Premier during the interim period. I have been closely watching the several speeches he has made during his tours through the districts. In one place he had said that the country had gone backwards. Sir, is it right for the Hon. Premier who is to pilot this Bill, to go round the country and only say to the people that the country has gone backwards? I say, the country has not gone backwards but it is the Hon. the Premier who has gone backwards. It is nothing but an optical illusion. When we travel in a railway train and when the train actually

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moves, we see the objects around moving, and then we think, the objects are all moving along with us. Sir, it is the Hon. the Premier who has gone backwards, he thinks that the country has gone backwards too. (The Hon. Premier: 'The illustration proves the opposite.') (Laughter.) My illustration may not suit you but your parables will suit you. (Renewed laughter.)

" Sir, he again goes to another place—I am sorry I cannot quote all his speeches—and tells that the women of the country are averse to this. Here I would like the Hon. the Deputy Speaker of this House to come to my help when I say that I had an occasion to speak at a meeting of ladies that was presided over by her, where a resolution was passed supporting the Bill, and if I am not mistaken, even the Madras Women's Association has supported the Bill. Even the ladies of Mylapore whose photograph appeared in the *Madras Mail*, some time ago, held a meeting and supported the Bill. That being so, I do not know what kind of ladies our Premier refers to when he says that the women are averse to this. (Interruption.)

" Sir, on the other hand, what do I see in the case of the other Hon. Ministers, such as the Hon. Dr. Subbarayan, the Hon. Mr. Gopala Reddi, the Hon. Mr. Ramanathan and others? They have been going round the country and carrying on the propaganda on the right lines. They have been consistent throughout and they have been sincere in their work. Wherever they go, they create a favourable opinion and take decisions by asking the people who are in favour of the measure to raise their hands. That is the sort of work that these Ministers have heen doing, and I thank them and congratulate them on the work they have been carrying on. (Cheers.)

" With reference to prohibition, my friend, the Hon. the Premier, has chosen the right soil, and I am glad to see that prohibition is said to be a success in Salem. He ought to have applied the same principle with reference to temple entry also. Had he taken the City of Madras first, where the members of the depressed classes also have got franchise to elect trustees to the Sri Parthasarathi temple at Triplicane, had he taken a soil like this, there would have been no opposition to the Bill at all. Or he might have taken Salem. Perhaps he might say, 'Why bother me!' I say Salem, because we have got there our Premier, and fortunately the Hon. Dr. Subbarayan is also there—a double-barrel gun, as it were in Salem. The prospect of bringing into force this measure effectively there is very bright. Or take other districts. Why not your own district, Sir—East Godavari—where your influence and sincerity would achieve better results? As a matter of fact, East Godavari has heen already ploughed by able social reformers like the late lamented Veerasalingam Pantulu and Dr. Sir Venkataratnam Nayudu. Take Kistna; there is Dr. Pattabhi Sitaramayya doing his great work in this direction.

I now come to Guntur, where there is Mr. Konda Venkatappayya: Does he say that he does not want the Temple Entry Bill to be put into effect there? There are other places like Trichinopoly where there is Dr. Rajan who had been long associated with the work of the Harijan Board. With regard to this district, I might say that the Tamil Nadu Harijan Sevak Sangh has already passed a resolution asking for temple entry there. Such being the case, why brush aside all these earnest demands, and go to a rocky place like Malabar to sow your seed there? Perhaps you will say, 'I have got all the charm there!'

"Sir, the other day, the Hon. the Premier gave an illustration to show why he has chosen Malabar. He told us how an old woman who offered a steaming plate of gruel to a Mongol warrior, asked him to put his finger at the edge and not at the middle of the plate where the gruel was the hottest. The Premier expected me to follow the advice of the old woman, that is to say, his own advice not to tackle this problem at the thickest and hottest part where the opposition is likely to be at its height but to go from the edge to the centre. Apart from the confession of his being an old woman in this affair, what is he doing but to put his finger at the hottest and thickest part of the gruel of temple entry? Hon. the Premier . . . (interruption and laughter.)

"Apart from the confession of being an old woman . . . (Laughter.)"

MR. SPEAKER:—"I don't think there was a confession there." (Renewed laughter.)

* SRI RAO BAHADUR M. C. RAJAH:—"I stand corrected. Apart from the desirability of testing the gruel of temple entry in the hottest part, there is this aspect of the question. Our thoughts are about the present and the future generations alone. Here we are enacting a measure that will affect both the present and the future generations. We are not concerned with the past generation. So let us not bring these antiquated grandmother's stories into our problem. Sir, he says, Malabar is contiguous to Travancore. But what do we see in the Travancore Proclamation? The Travancore Proclamation is only a proclamation and not an expression of opinion of the people of Travancore. It is only a fiat of a ruler, which is met with opposition in Cochin and Malabar. If the people of Travancore did not raise any cry of protest against it, it was out of deference and respect to their Ruler. But, all the same, God alone knows what is going on in Travancore! (Laughter.) The report is that temple entry in Travancore is a success. I get other reports also saying that it is a failure. But I am not a judge of these contradicting reports. All I would say is that this Travancore Proclamation has not helped Malabar in any way to be prepared for a Bill of this kind. I am glad that my

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friend, Mr. Karunakara Menon, has said that temple entry, if it should be a success in Malabar, needs much spade-work. I am glad he says that, and it shows how much of hard labour it requires there to sow the seed. So, why should we go and place ourselves in the midst of the stoutest opposition, in the district of Malabar, instead of putting our finger in the coldest part of the gruel of temple entry?

"Sir, you should know that I am not against the present Bill. There is a proverb which says, half-a-loaf is better than no bread at all—and I may say here that this Bill is not even half-a-loaf but very much smaller than half-a-loaf, something like the one-twenty-fifth part of a loaf. But still I shall co-operate with the Hon. the Premier. (Hear, hear.) I shall show some of the difficulties, and I shall try to help him, but I will not be responsible for the result. (Cheers.)

"Sir, when the Hon. the Premier made his final speech on the subject at the last session, towards the concluding portion of his speech, he seemed to have imagined certain things which I did not say. It is a very, very, gratifying sign to see the Leader of the House coming forward to defend the Leader of the Opposition against something which he says I said or thought of the Leader of the Opposition. From the official report of the proceedings, I find that he said: 'I can understand the hon. Mover's disappointment and anger with us—or with me in particular—it is very unfair for him to have said or even thought all the things he seemed to think about the hon. Leader of the Opposition.' I have vainly turned the pages of the proceedings to find out if there was anything, that I said in the course of my speech about the Leader of the Opposition. I had said not a single word against the Leader of the Opposition, nor did the Leader of the Opposition say anything against me. It is very unfair for an Hon. Minister, a responsible Minister, to work up a situation which did not exist. Taking advantage of the position that I had no right to reply after him, he said that; and further he said that the Leader of the Opposition had supported him (the Prime Minister) and did not support me; whereas, as a matter of fact, the Leader of the Opposition supported me and not him. Sir, coming to the point . . ."

6-30 p.m. * THE HON. SRI C. RAJAGOPALACHARIAR:—"Is the hon. Member raising a point of order in regard to what I said at a previous meeting? If what he says is correct, it was quite open to the hon. Leader of the Opposition to rise in his seat and contradict me and make me yield to him. But nothing of that sort happened; not only that, he voted with me in the end. (Laughter.) Am I right in my explanation?"

* SRI RAO BAHADUR M. C. RAJAH:—"Not at all. (Laughter.) It is very clear; any man who knows English will understand it. Read your speech in the proceedings of the Assembly.

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"Sir, coming to the provisions of the Bill, I must at the outset say that this Bill is for the Sanatanists and not for the depressed classes. I shall substantiate my statement in a few words. Sub-clause (4) of clause 2 of the Bill requires that a temple should have an annual income of not less than Rs. 5,000 under section 69 of the Madras Hindu Religious Endowments Act, 1926, to come within the purview of this measure."

Mr. SPEAKER:—"Is it not a matter of detail?"

* Sri Rao Bahadur M. C. RAJAH:—"I am only just skipping over the several clauses of the Bill."

Mr. SPEAKER:—"Yes."

* Sri Rao Bahadur M. C. RAJAH:—"As regards voters, the depressed classes have been excluded from the voters' list. I would bring to the notice of the House one particular point. If the Bill were ever to come to Madras, and if you are to exclude the depressed classes from the vote, then you will be excluding a very large number of depressed classes who have already got their votes with regard to the election of trustees to the Sri Parthasarathiswami temple. When you say that this Bill is intended for the Hindus, why do you exclude the depressed classes from the list? Are we not Hindus; are we Christians; are we Muslims; and if we are not Hindus why should we agitate for temple entry? Clause 5 says that where after fifty voters sign a requisition and send it on to the trustee of a temple, if just two clear days before the date of the referendum, not less than 25 persons who signed the requisition apply for its withdrawal, then the proceedings shall be deemed to have been cancelled, and then the question cannot be raised for two years to come. The implication of this clause is this: supposing 50 Sanatanists join together and sign a petition and 25 of them withdraw their signatures the whole proceedings would automatically drop and the question will be closed for two years. Then why should a 2-year limit be fixed, when in these days public opinion is developing very fast? Will not six months do? Clause 5, sub-clause (2) is unnecessary. It runs thus:—

'The Provincial Government may, at any time, before the results of any reference to the voters are announced, order that all further action in respect of such reference shall be suspended and upon such order all previous proceedings relating thereto shall be deemed to have been cancelled.'

"This is unnecessary, as it takes away with the left hand what is given by the right hand.

"The Hon. Premier told us yesterday that he was going to make rules and regulations for the maintenance of order, etc., in the temples. I would like to know whether those rules and regulations are intended for the worshippers of the depressed classes or for other classes of worshippers as well. (Ministerialists cries of 'all, all.') It is not clear in the clause."

* Mr. SPEAKER:—"These are matters of detail."

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* SRI RAO BAHADUR M. C. RAJAH :—" Yes, Sir. As I have said, I will co-operate with the Hon. Premier in this matter; but I want him to say in his reply what the other districts are, to which he is contemplating to bring a similar Bill next, and when that will be. In one of his speeches in Madras he made it perfectly clear that he would go to Madras next. He said that in a public meeting; and I want to know whether this advance will be to Madras or elsewhere? "

* THE HON. SRI C. RAJAGOPALACHARIAR :—" May I know whether the hon. Member was present at that meeting (laughter) because I do not remember to have said it."

* SRI RAO BAHADUR M. C. RAJAH :—" The Hon. Premier has got a right of reply, and therefore I do not wish to be interrupted."

MR. SPEAKER :—" Yes, but the authority on which that statement is made by you is questioned."

* SRI RAO BAHADUR M. C. RAJAH :—" It appeared in *The Hindu*, dated the 31st October 1938. This *Hindu* which is a great advocate of the Sanatanists, in 1932 supported the Bill and it went to the extent of saying that the bureaucratic Government should support the measure. But in 1938, it has gone back on that statement. (Laughter.) It says, Mr. M. C. Rajah's enthusiasm outruns his sense of justice. Perhaps *The Hindu's* ardent enthusiasm of 1932 dwindled away in 1938. (Laughter.)

" To continue what I said, it was a speech delivered before the Malayalees of Malabar; it was presided over by Mr. Gopala Menon. At the conclusion of the meeting it is said 'Mr. Gopala Menon thanked the Premier for his " lucid exposition " of the proposed legislation and assured him that the people of Malabar would do all they could to make the measure a complete success.' 'Answering a question raised by a member of the audience, the Premier said that he had fully explained on the floor of the Assembly why he suggested to Mr. M. C. Rajah to hold back for a time his Bill.' He said, 'It is because I want the reform to get through, I want the cause to succeed as a whole, that I implored Mr. Rajah to suspend his motion and allow me to get through Malabar first. From Travancore let us progress to Malabar and thence to Madras and other parts of the Province.' May I present the Hon. Premier with a copy of this? (Laughter.)

" Sir, I do not wish to detain the House any further. My only fear is that this Bill will not succeed; if it succeeds, well and good.

" Sir, I support the motion."

BASHEER AHMED SAYEED SAHIB BAHADUR :—" Sir, it might look a little incongruous that Muslims are taking part in this piece of legislation notwithstanding the fact that the Hon. Premier has excluded both Christians and Muslims from the Select

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Committee. No explanation has been forthcoming for this so far; and perhaps one might expect some explanation in due course from the Hon. Premier, as to why Muslims and Christians could not be given a place to consider this legislation as such from a legislative point of view. It might be said that it might not be interesting to them; but that does not mean that the Muslims should be excluded from this legislation altogether. Therefore I wish to record my protest against it. It is not rational. By this action we are losing an opportunity of making any contribution of our knowledge to the Committee. We want to co-operate and accord help to all persons not only in this House but also in the Select Committee; and I therefore record my protest that it is not fair or equitable, nor conceived in the best interests of this House or in the interests of legislation that Muslims and Christians should be kept out. Sir, it may be said that the Muslims are not concerned with this measure. To that my answer is that so far as this measure is concerned, this is a reform which is in conformity with the principles of Christianity and Islam.

"This measure aims at giving to a section of the community of Hindus the right of worship along with other sections of Hindus. Indeed this Bill is welcomed by all. In this House of 215 Members, I believe there are several orthodox Hindus and Sanatanists; the fact that not even a Sanatanist has spoken against this Bill shows that this is not an unwanted measure. Whatever may be said about the authors of the Bill, as I have been hearing so many things said to-day in the House, however partial the provisions may be, however inadequate they may be, however not well-intentioned they may be, even though the Bill itself may be an eye-wash, the fact remains that there has been no opposition in this House and outside; this only proves that the entire public is in support of this measure. It is a good experiment; it is interesting so far as the present scope of it is concerned; and the experiment is worth trying. The Hon. Premier pointed out in favour of Malabar that it is a contiguous territory to Travancore. Opinions may differ as to the place of choice. But what is there, to prevent an experiment of this kind being tried? I most unhesitatingly support this measure, because I do realize there are similar matters among other communities. And so it is good and proper on our part that we support this measure.

"I do not believe in the bogy that the subject-matter of this Bill does not come within the Provincial List in the Government of India Act, 1935. I am one of those who believe that we should endeavour from the beginning to see that the Provincial Government get as much power as possible; and in so far as this measure is concerned, whether it is definite or indefinite, let us grasp at it and enlarge the powers of the Local Government. That should be the honest endeavour of all public men.

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"Then it was said that this Bill, or at least one aspect of it, is not without room for misapprehension. There is some lurking suspicion in certain quarters that this is a measure aiming at the consolidation of the Hindu community. I welcome the move; let the Hindu community be consolidated; it does not matter if the whole Hindu community is consolidated; I do not grudge it; I welcome it; let the distinction between the Harijan community and the caste Hindus disappear. If this Bill is passed the scope for closer contact between the two communities increases. And we welcome the move of the Government, so that it will bring about a state of affairs where there will be no obstacles in the way of the intermingling of one community with another and one society with another. A measure of this type in the long run would have 6-45 p.m. the effect of unifying the country into one nation.

"I do not think, Sir, there is any substance in any bogy of religious interference. The temple belongs to the worshippers as the mosque is the property of the worshippers. If the worshippers want to adopt a certain course they must be given the liberty. In Malabar, if they want that their brethren should be allowed into the temples, where is the restriction or interference? If the Savarnas are opposed, why are they opposed? The majority of them do not want to open the temples to the Harijans. If the majority necessarily desire to open the temples to the Harijans, who can stand against? That principle is well deserved. Such a state of things should be encouraged. I therefore support the Bill. There cannot be any religious interference in it. It is only an enabling measure. All contingencies for avoiding friction and conflict between section and section are there.

"Sir, it is an undeniable fact that it is a petrified custom for which a decision is sought to be obtained from courts. Why not abolish the custom by legislation? That is the effective source, the most effective source. The other day, in the Punjab Assembly, they abolished the inheritance custom of the Muslim community. Custom certainly stands in the way of progress; and the courts in British India are there administering justice, and so there is scope for slowly widening or removing the difficulties in the way. They do not really allow them to disappear. On the other hand, they become more and more strictly enforced and custom is there like Sindbad the Sailor. From that point of view this measure is welcome so far as it would enable British courts to show a certain amount of laxity in the matter of enforcing this custom.

"Sir, it was stated that this Bill will prove a failure. I am not so pessimistic like that. On the other hand, I am optimistic enough to believe that this Bill would set public opinion in motion, and public opinion will assert itself. A thing done here will have its repercussions, and even without legislation, what might not be achieved now will be achieved in the long run. I therefore think that it is the duty of everyone who thinks aright,

that this Bill should be allowed to go forward and supported; and if it is worked in the right spirit, and if it is appreciated by the public, certainly it will prove a success. The next measure will be a voluntary opening of all the temples. I am therefore, Sir, for supporting this measure."

MR. SPEAKER:—" I want to give an opportunity to those who want to oppose this Bill."

SRI E. KANNAN:—" In the year 1932 when the Hindu community as a whole requested the depressed classes to agree to the scheme of joint electorates for which Mahatmaji was fighting at the cost of his life, it was proclaimed everywhere in the country that the mentality of the Hindu community had changed in favour of the depressed classes, and that in no respect whatsover would these people be prevented from enjoying and exercising their rights as Hindus. But, from the opposition to any effort for temple entry legislation, which we see and from the difficulties confronting even the Congress Government in the matter of such legislation, it is clear that those who believed in 1932 that the general Hindu public was so much advanced as to allow the depressed classes their rights and privileges as Hindus unresisted and unrestrained, were evidently mistaken in their estimation of the *bona fides* of the orthodox Hindus. Ever since the Madras Temple Entry Bill of the hon. Mr. M. C. Rajah was published, I have been very closely following the opposition to the very idea of temple entry legislation; as one who believes in the Hindu faith, as one who believes that Lord Krishna is as much my God as the God of the Zamorin of Calicut, or of any other janmi in Malabar including their worthy representative here, the hon. Member, Mr. R. M. Palat, I am deeply pained to find that their opposition is conceived in a spirit of contempt for those who are called the excluded classes. In the course of his opposition to this Bill a certain gentleman said that *the caste Hindus have a strong sentiment of repugnance to the admission of Harijans into the temples*, as if the Harijans are a set of detestable reptiles or ugly monsters, the very sight of whom is horrible to the human eye. Then again, in the petition which over 25,000 persons of Malabar, including almost all the owners and trustees of temples, high-priests, temple-goers, rajas, other public men and janmis, including of course, our hon. Friend, Mr. R. M. Palat, are known to have submitted to the Government, it is stated that 'In case the Avarnas are allowed to enter into temples, all the sanctity of the temples will disappear;' as if the Avarnas are a sort of pestilence which spreads around it everything that is impure and unholy in the Universe! This, Sir, is, in short, the compliment which the so-called custodians of our Sanatana Dharma are paying the Harijans for their belief that Hinduism is their religion as it was the religion of their forefathers!

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"Be that as it may, let us for a moment examine the logic of this opposition. People go to the temple as they believe that there is a God there and that that particular God will give them some blessing if worshipped. If there is any such God in a temple and if our conception of God is a correct and civilized one, it is impossible to understand how that God can remain there in order to give blessings only to a particular set of people, who believe that the rest of that God's creation has no right to approach Him there. Sri Sankaracharya of Sringeri Mutt in Mysore says that 'the Vedas proclaim the omnipresence of God who is the cause of creation, etc., of this world and who is free from the three kinds of limitations.' If it is really so, it is inconsistent with this theory to suppose that this particular God will get polluted by the entry into His place of residence of those whom He has created, and also to suppose that this God will run away from the approach of my hon. Friend, Swami Sahajananda, who is leading a religious life as holy and as sanctified as that of the Jagadguru Sankaracharya of Kumbakonam. To say that by the mere accident of birtb, one man, however wise and cultured and however pure and untainted in his life, is inferior to another having none of these attributes, but the mere qualification of his having been born in a privileged community; and that in his daily life he should have all the disabilities and disadvantages of his supposed position of inferiority, is an arrogance which can be tolerated only in a country of barbarians. To say that even the Almighty and the All-powerful God will be polluted by the approach of His own children is a most infamous blasphemy which modern culture will not allow; and it will not be a wise man's part to suppose that these things can be permitted to continue in this century. These are the days of liberty, equality and fraternity, and no force of whatever kind is going to prevail against these ideas. Every unholy and unworthy distinction that does not stand the test of reason and common-sense must perish, and it will have no place before the sweeping tide of civilization and culture. It is only in the light of this idea we say that all meaningless and antediluvian distinctions and all restrictions in the matter of worship for the followers of the same faith should also vanish. Instead of listening to the feeble lamentations occasionally raised by a fast-fading orthodoxy, it is the sacred duty of all right-thinking persons to have these distinctions ended at the earliest possible moment. Temple entry is perhaps the most feasible method of achieving this end. As I have already pointed out on a previous occasion, temples are the citadels of caste Hindu orthodoxy, fostering untouchability and other unmanly evils; and once this fortress falls to the siege of the reformer, the task of removing untouchability becomes easier. It is only with this motive, Sir, that I as the representative of the Harijans of Malabar give my strongest support to this Bill.

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" A very interesting point was raised by Mr. R. M. Palat that in so far as I voted against Rao Bahadur M. C. Rajah's Temple Entry Bill I do not appear to be very enthusiastic about the Temple Entry Bill. My vote on that day did not mean that I am against the principle of the Temple Entry Bill. My vote only represented my clear belief that situated as the Harijans are to-day in the country, an exhaustive Bill of the kind should only follow a measure designed, like the Malabar Temple Entry Bill, for a limited area wherein the atmosphere and other conditions are most congenial to its success. Mr. Palat is perfectly right when he said that the votes of the Harijan members on this side of the House on that occasion was independent of party discipline. I am sorry to note, Sir, that misconceptions have arisen that the Harijan members of the Ministerial party were forced to vote against Mr. Rajah's Bill on account of party discipline. In their anxiety to maintain their supposed superiority over others, our Sanatanist friends have tried to invoke the question of long established customs and usages and to make out a case that it is extremely dangerous to interfere with them. Customs and usages are not meant for all times. When conditions change, customs too must change. What was good yesterday, may be bad to-day and it may be harmful to-morrow. It is only wise that customs and usages should be readjusted to suit the changing conditions of times.

" Our janmi friends of Malabar have been reactionary to every sort of progressive movement and it is high time that they should realize that if they continue to do this, they are undermining their very existence in the country.

" As my hon. Friend, Sri Karunakara Menon, has pointed 7 P.M.
out, the majority of the caste Hindus are in favour of this Bill and they have demonstrated their determination in unmistakable terms in the course of the tour of the temple entry jatha which was recently undertaken by the citizens of Malabar. I hope that without any difficulty whatsoever the vast majority of the caste Hindus of Malabar will give their votes in favour of this Bill and thereby enable this measure being extended to the other parts of the Presidency as well."

* M. AHMED BADSHA SAHIB BAHADUR :—" Mr. Speaker, I would not have risen to speak on this proposition but for the fact that my hon. Friend, Mr. Basheer Ahmed Sayeed, spoke certain things regarding the Muslim community. Criticizing the action of the Government in constituting the Select Committee on this Bill in the manner in which they have done, he said that Muslims and Christians have been scrupulously excluded, and that this should not have been done. I desire to point out on behalf of the majority of the Muslim Members of this House that we do not feel like him."

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BASHEER AHMED SAYEED SAHIB BAHADUR :—" Sir, on a point of personal explanation. I did not voice the feelings of the entire Muslim community. I only said that, on principle, that kind of exclusion is wrong."

* M. AHMED BADSHA SAHIB BAHADUR :—" Sir, let me make my position clear. In a measure of this kind which pertains only to a particular community, a Member of another community cannot say that representation should be given to his community on the Select Committee. The general principles are absolutely different from the details that are to be dealt with in a Bill. The principle of co-operation can be preached and in fact given effect to so far as the general principles of a Bill are concerned; but the details are none of our business and we should not claim to interfere. Sir, it is wrong to say that there is no opportunity for another community to co-operate with you and to shape the Bill which is on the legislative anvil; you have got opportunities before you refer the Bill to a Select Committee, and you also have got an opportunity for co-operating with the other sections of the House when the same Bill is referred back to the House by the Select Committee with its Report. Therefore Sir, we have got ample opportunities for co-operation in matters of this kind."

Basheer Ahmed Sayeed Sahib Bahadur rose—

MR. SPEAKER :—" Hon. Members cannot be indulging in replies by way of personal explanations."

BASHEER AHMED SAYEED SAHIB BAHADUR :—" On a point of order . . . "

MR. SPEAKER :—" There is no point of order arising now. What is the point of order ? "

BASHEER AHMED SAYEED SAHIB BAHADUR :—" The point of order is whether it is open to a member to contend that when a member has already two times participated in the deliberations of the House . . . "

MR. SPEAKER :—" It is an expression of opinion. That was the opinion of Mr. Ahmed Badsha Sahib and this is the opinion of Mr. Basheer Ahmed." (Laughter.)

* M. AHMED BADSHA SAHIB BAHADUR :—" Sir, I can understand the question of the principle that every section of the House must be enabled to co-operate in framing a Bill. Apart from this, it has been pointed out that if the hon. Member were to introduce his own measure relating to a particular community, the same procedure will be adopted, though he would have no co-operation in the Select Committee from other members of the House. Although he might feel a grievance against such a procedure, I might say on behalf of the majority of the members of my community, we would view it with equal jealousy

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and we would say that while principles can be discussed and criticized in this House, the details need not be gone into by members of other communities. Therefore, Sir, this is a matter in which we can always co-operate, and at the same time leave the details to the respective communities to decide for themselves. Let it be understood clearly that wherever the principles of a Bill are involved, we can always co-operate, irrespective of the fact that we belong to a particular caste or community; and wherever details are involved, the matter will have to be left to the representatives of the communities, as they are the persons best fitted to deal with them. I know my hon. Friend has a certain measure of his own coming up before the Legislature and he is feeling weak within himself whether he would be able to pilot it through with the support of his community; he is therefore expecting some help from the other side also. And that might be the reason why he is making this suggestion to-day. But I make my submission to this House respectfnlly that in all matters it may be taken as self-evident that where principles are involved, we always co-operate, and where matters of detail are involved, we leave the things to the respective communities."

* THE HON. SRI C. RAJAGOPALACHARIAR:—" Sir, I am grateful for the general support, and, if I may say so, the unanimous support of the House. Those who have objected have objected because the Bill does not go far enough; those who have doubted, have done so because I have done something wrong. But the Bill itself embodies a very good principle. Whatever might have been my own wrongs, even if I introduced this Bill with a very wrong object, if the Bill is good, it is the duty of the House to vote for it. If the Bill is good, it will do good to the country: it does not matter what I did, or what I may have done. But I must take the opportunity to express a little surprise at the way in which the criticism was made by Members who, I had thought, had clearly voted for the principle on a previous occasion.

" Sir, it was argued by Sir Pannir Selvam on a point of order that this Bill was excluded by the rules because it was identical with the motion that had been put on a previous occasion. I am not entering into that point of order now. But on that occasion Sir Pannir Selvam had no objection to that Bill; how is it that to-day he opposes this Bill in a speech and at the very outset, so to say, such as it was? He seemed to try to make a point in his point of order, that the greater included the less, and if the greater had been disposed of, the less should be taken to have been disposed of. But I want to tell you, Sir, now to take a mathematically more correct view of it. In this matter the less includes the greater; because if a man has approved of the greater, he must necessarily approve of the less. But if a man has approved of the less, it does not follow that he can approve

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of the greater. The other day, for instance, even though I approved of the less, as I do now in moving for the less, I could not approve of the greater. But, to-day, what surprises me is that those who were able to swallow a camel are straining at a gnat! That is to say, those who would vote for the whole Bill that day, are unable to give their willing consent to a smaller thing. What is the reason for it, one is led to enquire. The reason is want of complete identification with the object in view. If there was complete identification with the object in view, no man can commit a mistake; no man does commit a mistake. But when we do not completely identify ourselves with the object and we try to follow only some kind of logic or some kind of superficial reasoning, we are led into error. If only friends here or outside tried completely to identify themselves with the object they will find no inconsistency in mind. They will find no inconsistency in this Bill taken along with the previous Bill, or with the previous attitude. They will find no inconsistency in the varying steps taken in regard to this great problem, and they will support the Bill and they will not go wrong in the arguments they have to offer. They go wrong when, without complete identification, they either support or oppose. This alone is the explanation for this astonishing phenomenon that I saw to-day; namely, that Mr. Palat and Sir Pannir Selvam who were in favour of that Bill are now strenuous opponents for this smaller Bill —a reversal of the logical rule *a priori*. I am trying to find a psychological explanation for this in the fact that Mr. Palat has been trying to satisfy his conscience as well as his constituency. That kind of trying to please a constituency against one's own conscience is not permissible to members, I emphatically say If a man finds a difference between his own conscience and his constituency, he need not come and speak or vote. He must retire. (Applause.)

" Then, Sir, the main point that Mr. Krishna Rao raised on the merits of the Bill is that we are wrong in introducing a Bill on a matter of this kind without a mandate from the constituencies; and he urged that we should not press forward this Bill until we put this matter before the country and come with a mandate on the point. Sir, this is a correct doctrine in ordinary parlia mentary life; but modern democratic Government involves the introduction of measures on a vote of general confidence in a particular party. If the general principles of the Liberal party or the Radical party are acceptable to the country and the country has returned such a party, it is open to them to bring measures which are notoriously consistent with the principles of that party. I justify the introduction of any measure in regard to prohibition or in regard to the removal of untouchability or in regard to the unity of Hindus and Muslims or in regard to any other matters, on the ground that the country has returned a party which is based on these elementary and fundamental

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creeds. Therefore, it is not necessary to get a separate mandate in regard to any measure relating to untouchability, so long as we are faithful to the party, so long as we do not go out of it, and so long as we have received the mandate from the party to go to the people, and the people have asked us to go to the Government. What we have done is not against the procedure usually observed in parliamentary life.

" I have even a more convincing answer so far as my hon. Friend Mr. Krishna Rao is concerned. The answer that I have given is quite enough to the ordinary parlimentarian, but the answer that I propose to give is specially for the benefit of my friends like Mr. Krishna Rao, who feel that this Bill is wrong in principle. It is this: that the mandate he wants us to get is embodied in the Bill itself. I cannot do anything even if this Bill is passed into law, unless I receive a mandate from the people to give effect to it; so that. I have got the principle of the mandate in the Bill itself. Even if this Bill should be passed in a hurry, and if it should be passed, wrongly, from the point of view of Mr. Krishna Rao, I assure him and his friends that they will get an opportunity to vote against the principle in the application of the law. We have not run away from the country. We have not run away from the mandate itself. This is the answer which should completely satisfy people like Mr. Krishna Rao and others. If this is not enough to satisfy people like Mr. Krishna Rao, and they say that we should get the consent of the people even for the passing of this permissive law, I can only say, as I said at the outset, that we are entitled to introduce a measure of this kind with which the Congress Party is associated in the mind of everybody in the country."

* Sri G. KRISHNA RAO:—" May I say a word, Sir? "

Mr. SPEAKER:—" Not by way of arguments."

* Sri G. KRISHNA RAO:—" What I wish to say is that it is only a presumption on the part of the Government."

* The Hon. Sri C. RAJAGOPALACHARIAR:—" I admit that it is a presumption, but it is a conclusive presumption. (Laughter.)

" Then, it was argued that these Harijans themselves do not want such things, and so on. I do not know if hon. Members who raised this point remember what I said at the very outset in introducing this Bill. It is true that the intellectuals amongst the Harijans may not agree for sucb things as temple entry and the like. They may care more for things like bread, water, services, posts and the like, but I maintain that there is no doubt whatsoever that if the temples—I challenge any one who has spoken against the Bill to think it out for himself, realizing the facts as they are—are opened, the hearts of the mass of the Harijans will rejoice. Will not a Harijan feel that he is in a

new world, almost comparable to the Paradise that he has heard of? Even for the first time in the history of this country, if temples are opened to the Harijans, I claim that the mass mind will be affected by nothing so much as the social reform that we want to achieve through this Bill. Not even the few posts of Deputy Superintendents of Police which the Government are offering the Harijans will so much satisfy them, as one temple opened to all the Harijans in the country will. If, therefore, so much joy is kept away from a Harijan, it does not mean that he does not want it. It is not correct to say that. He has not the imagination to ask for it in an articulate manner. But that does not mean that he does not want it. There are people who are hungry, but they are so hungry that they cannot even speak and ask for food. That does not mean that they do not want food. It is because they know that it would not be given to them.

" When we are dealing with a measure of this kind, we should not depend upon the newspaper articles written by members of this community or that community. Certain criticisms have been levelled against us on the ground that this measure is not bold enough, that it is not extreme enough and why we should not put the whole thing through at one stroke. Even here a very bold identification with the movement would have enabled such critics to see at once the difficulties, and the meaning of a less bold step. It is easy to be bold when you are not in a thing. But it is not right to imagine that we can do everything at any time. Even Mr. Rahman Khan who wanted, in his innocent patriotism and in his innocent and free sense of compelling justice, that the measure might have been a severer and an extreme measure, if he had followed the subsequent arguments that were put forward, if he had felt the difficulties that were pointed out, he might have sympathized with the Mover of the Bill as to why he has couched his desire in this moderate scale. If we succeed in this permissive measure, and after seeing that we have succeeded in this measure, if we introduce a more universal and compelling measure, I think not much will be lost. We have waited for hundreds of years and we can wait for a year or two more. If my hon. Friend Mr. Rahman Khan proves to be correet, no one shall rejoice more than those who support this measure.

" Another set of criticisms, and the most important criticism that was urged first of all was that it is wrong for us to choose Malabar for this step, and secondly, that it might have been better if we had chosen either the native district of the Premier or that of the Hon. the Minister for Education. I am glad that we are charged for not doing the thing in Salem. If, for instance, I had moved that this new reform should be started in Salem, who knows that the criticism would not have been, ' How many things are you going to do for Salem? You have carried out prohibition there, and you want to introduce this reform again there;

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this is wrong positively.' Of course that criticism is not available now, because we have not committed that mistake. We have introduced it in another district and therefore it is pointed out, 'Why not you take the responsibility yourself by introducing it in your district of Salem instead of in Malabar?' I can only say that such criticism is made by people who do not understand me at all. The difference is not much greater if we succeed in Salem than if we succeed in Malabar, or any other district. Is it because that I do not want it that I am taking all this trouble of going through all these tedious and round about methods? If people were to imagine that sort of thing, I have no hope of persuading all those who believe that I am not sincere in anything whatsoever. If there is one object in which I and my Colleagues believe there is need for reform, it is in regard to this matter; and I promise, if this is accomplished, to hand over power and responsibility to other people who want them. After this achievement we can rest: after this achievement we can put down our oars and say, 'We have done our duty.' We may commit an error or we may be mistaken in our judgment. I do not deny that. But to imagine that we are trying to escape from our responsibility, because we have not introduced the measure in Salem or Tiruchengodu, or in some other quarter, and therefore we are simply going round about and found out a place where the plant which we are planting may not at all flourish, and that we are trying to find out a rocky, barren spot in order to plant this plant, is very unfair. And unfairness does not help anybody.

"Sir, Mr. M. C. Rajah said, 'I shall co-operate; I wish this Bill every success; if it is passed I am going to co-operate and make the best use of it; if it fails I should not be held responsible' —a very correct and just attitude. I thank him for that. But he must allow me to point out a little error in that attitude. I would say that we do not succeed if we go with a doubt of this kind in our methods. We cannot persuade people in a matter of this kind, if we begin our process by saying, 'You may not succeed; you may not succeed.' He himself found fault with me for a minor error. He said, 'You go from place to place in the country and say that the country is going backward; you are wrong in so doing.' A man who criticises us and says that we should not try any cure or find fault with people who are looking backward, and tell them (even for purposes of encouraging them and egging them on to do a certain thing) 'You seem to be going backward; you should even ask for the Tirupati temple being thrown open,' he now says to us, 'You will not succeed; you will not succeed.' That was the occasion where I said that people were going backward. But if that was wrong, is it right for 7-
Mr. Rajah even now to say, 'You will fail?' This is a wrong P.
beginning and this is of no use. This cry is a psychological mistake of one who is to co-operate with me and who has promised to co-operate with me. Not that I do not want his co-operation; I have tried to get his co-operation, and I may take the House,

with your permission, into my confidence and say that he has agreed also; I am so glad over that. As a colleague, as a co-operator, I do not want that he should make this criticism. Let us not say, ' It will fail.' In Salem also on an occasion like this, we were told, ' It will fail.' I have made this criticism not merely to find fault with Mr. Rajah but to counteract what he said, for the work that is before us needs hope. Therefore it is that I want him to give up this doubt hereafter, once it has been set at rest. Now, he should co-operate with us with the fullest hope; let him now say, ' I do not have this doubt.' For my part, I have no doubt at all.

" That explains also why we have chosen Malabar and it may involve a certain amount of repetition; the House will forgive me, because the matter is very important. We have chosen Malabar for very important reasons. It was urged that the fact that great, big and ancient temples have been opened in Travancore, counted for nothing. I am astonished at this argument. Any one who has this movement in his heart as a matter of principle and as a life mission and who feels, as I claim to do with all respect to others, that this must be done, will not say that. Because, even if for one day the big temple at Trivandrum had been opened, it is of great assistance to us in this country. Even if it had been closed down subsequently, after being opened for just one week, it is a great thing to help us in this movement; we can explain away the closing; but the very fact that it was kept open for a couple of hours is a great help to this movement. If any great and big temple like the one at Trivandrum is opened with all the consent of the people, is still kept open with all the sacredness and the majesty that surrounds and attaches to it, is it a small thing? I submit, not. I respectfully submit that any one who has the removal of untouchability at heart, will not speak lightly of what has been done at Travancore at great risk, and in fact, by divine courage, if I may say so. It was done at great risk as any one will see. A good Maharaja, a good Diwan and his administration all agreed to open the temple under those circumstances. A thing that is done by a fiat is more dangerous than a thing done with the votes of 215 people. Because it depended upon the fiat of a single man, the Maharaja, I say that it was with great courage that he took up a thing which we hesitate to take up here except step by step. It was easier for him to do so legally but morally it was a great act of courage; there were facilities for it there, which we do not have here. But that should not make us forget the value of that assistance; it serves us as a step to go upon. If anybody had the great courage to do it, we admire it; not only do we admire it, but we want to do the same thing.

" The people of Malabar—I repeat again with all the emphasis that I can command—are the first cousins of the people of Travancore; let Cochin remain in between, obstinate and refusing to

follow the example. But that does not prevent Malabar from being the first cousin of Travancore. Surely they are people of the same blood, with the same traditions, with the same customs, with the same style of structure of houses, same style of roof for the temples; they have the same language to speak, the same literature to read, the same traditions to follow and the same culture to be proud of. It cannot be said that because Cochin intervenes or because a backwater intervenes, Travancore is a different country. It is very different from other districts, but it is very much the same as Malabar. Let it not be of so great an assistance as I like it to be; all the same it is of some assistance. You must take advantage of it, just as you drive a screw in an existing hole in a piece of hard timber. My friend wants to put the screw in another place and drive it as to pierce the timber; it does not matter if that particular hole is good or bad; there is a hole already, and that is the place for you; that is how engineers drive screws down. In the same manner, here Malabar is the proper place to introduce the reform; it is Kerala therefore that we thought of, and have to look to.

" Let me give my hon. Friend another reason. It was stated that in Malabar as in Travancore, untouchability is carried to a nicety and that there are grades and grades for everybody to observe, as if it was an iron law; there it is carried to a fine art, as to how far we can stand from another, we can look at another. But the very absurd length to which the thing has been carried is the cause for a greater revolt against it in Malabar than in a place where it has whittled down. From the very outset, the tillers have toiled hard there: the tillers have toiled more industriously in Kerala than in any other part of the country, against this law of untouchability. Therefore it is that we thought of Malabar in this matter; therefore it is that we must take it up. Even though for generations it had been a barren rock, it had been hard soil, now there is a change; if a man has ploughed barren soil and ploughed it hard, it is better, so to say, than a beautiful soil which has not been ploughed and properly used. That is the analogy, the parable to reflect upon by my hon. Friend, without any anger against me; then he will understand the meaning of that parable. If he fights at every inch, he cannot understand the story. Nobody can understand another man's story, unless he sympathises with that man. As I told you, Sir, we have chosen Malabar for a very good reason, because it is a continuation of the work that has been done in Travancore, because much work has been done in Malabar and the land there has been ploughed better than in any other place.

" Then again, Sir, there is one important reason which it is not necessary to reiterate, but which it is necessary to remember. In Kerala as you see, there is a larger number of highly educated men and women who are suffering under

untouchability; there is a larger number of the finest and best of men in society, who are excluded from the temples. The evil is mixed up everywhere. Here is the reason, and this is the place where we will find greater help in struggling against this exclusion in regard to the temple. Malabar is a favourable ground for going on with this movement of the opening of temples.

"I think it was Mr. Krishna Rao who said that I made a promise at the time when Mr. Rajah introduced his Bill, and that for the sake of that I am introducing this Bill, and not for any good reason. That is the implication. I submit he is reversing the process . . . "

* SRI G. KRISHNA RAO:—"On a point of personal explanation, Sir. I said, Sir, that this Bill is the result of the promise made by the Hon. Premier to Mr. Rajah and I doubted if the Government would have brought forward a Bill of this kind, if the promise had not been made, and if Mr. Rajah had not brought forward his Bill at the first instance."

* THE HON. SRI C. RAJAGOPALACHARIAR:—"He is reversing the fact. It is not because of the promise that I made that I bring forward this Bill. It is because of this Bill that I made that promise. It is because I thought that this would be a better step, it is because I thought that the Bill should apply only to Malabar first, that I opposed Mr. Rajah's Bill and made a promise to bring forward another Bill. The cause is mistaken for the effect. If I had not thought of this Bill with respect to Malabar, I would not have opposed that Bill. Mr. Krishna Rao has mistaken the cause for the effect and the effect for the cause. Be that as it may, it makes not much difference. I am not simply fulfilling some kind of promise; I thought of this Bill, I thought of introducing it only with respect to Malabar, because it was necessary for the movement, because it would enable the movement to succeed. Therefore it was that I opposed Mr. Rajah's Bill. Because Mr. Rajah was insistent and he doubted, I said, 'Yes, we are going to bring forward a Bill, you will see.' As you observed, Sir, this Bill was brought forward in fulfilment of the promise made to the House. The bringing in of this Bill in any manner had not made the object of the Bill less serious or less earnest than I want it to be. The promise was made because it was good and necessary; therefore it was that we carried it out, and not simply in a deterrent spirit of fulfilment.

"Then came a smaller issue which I thought we should reserve to a later stage of the Bill, such as why the Harijans were not included in the electorate, and other minor points. Why the Harijans were not included in the electorate is, from one point of view, a mere question of detail. But from another point

of view, it is a matter of principle. If it is mistaken, it can be a matter of principle, a mistaken principle. Therefore it is perhaps fitting that I should explain why the Harijans are not intended to be included in this scheme for the franchise. On principle I think this exclusion is justifiable. It is because we want the willing co-operation of those who are now worshipping in the temples, that this exclusion is made. This is not an innovation of mine. At the very outset I may say that from that very moment when Mahatmaji took up that work, he has been insisting—it is not because he has been insisting but because it is right that I refer to him—that those who are now in the enjoyment of the privileges of the temples potentially for good or for evil, ought to be eager and ought to be consulted before we make this change, before we give effect to the provisions of this Bill. Of course, the law gives us the right, or permits us to do anything by the vote of the majority; but that would not be with the willing consent. Because it is not merely law that we want, but because we want the willing consent or otherwise of those people who now worship in the temples, it was decided and accepted that we should not overweigh, so to say, the scales of public opinion. Therefore we have accepted it as a safe principle that the opinion of those who are now enjoying their right of worship in the temples should be collected. As between them, if there are differences of opinion, we are entitled to go by the majority opinion; but it would not be good for us to put the opinion of those who have hereafter to go into the temples, into the scales without weighing the opinion of those who are now worshipping in the temples. If a time comes when 7-4
we do not want the consent of the people at large, when even p.
a compulsory opening of the temples is found to satisfy men's hearts, then of course it will be unnecessary delicacy to give away the Harijans' vote—then it would not be necessary; but so long as we have this hope in our hearts, we have to observe this rule of delicacy in regard to the taking of votes.

"Sir, I am glad that Mr. Ahmed Badsha has answered Mr. Basheer Ahmed's objection. Let me consider from our point of view for the moment what Mr. Basheer Ahmed would say on the Bill; and he would then withdraw his objection. Supposing we put in a Mussalman and a Christian on the Select Committee and we get through the measure; let us think what will be said about the various details afterwards. We do not publish all our discussions; it might be said that we got through simply on account of the pressure of this or that person who was not a Hindu; what is the good of passing a Bill like that and thrashing it out in such a Select Committee? Then the value of the whole thing will be much less. I do not deny the legitimate right of a House, an all comprehensive House, to take part in every bit of legislation; that is not denied; but in the Select Committee, it is but just and right that the members of the community particularly affected

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are left entirely to themselves to deliberate in regard to the details. I believe, Sir, that this is what Mr. Ahmed Badsha urged, and I endorse what he said in regard to that question. It is the same principle as that which I referred to just now in regard to the exclusion of the Harijans from the franchise. It is the very same principle here, applied in a different manner. Supposing in the Select Committee, the votes were divided and we find from the voting that with the help of the Muslim and the Christian votes, a particular thing was carried, then it would have less weight, if it was in regard to a vital or important custom of the Hindus. The same principle is applied here. Mr. Basheer Ahmed has raised a very important point which almost looked as if it were a vote of censure on the Government for excluding, and denying the rights of a very important minority in the country, and it might be easily misunderstood. And that is why I thought it necessary to make the matter clear on this occasion.

"Sir, I do not think it is necessary for me to say anything further. I do hope that this great object of ours will receive the support of this House by the unanimous acceptance of it in the shape of this Bill."

MR. SPEAKER:—"I take it that the revised list of members of the Select Committee stands."

* THE HON. SRI C. RAJAGOPALACHARIAR:—"I submit, Sir, that the typed list which has been circulated already, stands."

MR. SPEAKER:—"And also the instruction to the Committee stands?"

* THE HON. SRI C. RAJAGOPALACHARIAR:—"Yes."

MR. SPEAKER:—"The question is that the Malabar Temple Entry Bill, 1938, be referred to a Select Committee consisting of—

(1) the Hon. Dr. T. S. S. Rajan,

(2) the Hon. Dr. P. Subbarayan,

(3) Srimathi A. V. Kuttimalu Amma,

(4) the Hon. Sri V. I. Muniswami Pillai,

(5) Sri Rao Bahadur M. C. Rajah,

(6) Sri R. M. Palat,

(7) Sri B. Bhakthavathasalu Nayudu,

(8) Sri E. Kannan,

(9) Sri R. Raghava Menon,

(10) Sri B. S. Murti,

(11) Sri K. V. R. Swami, and

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(12) the Hon. Sri C. Rajagopalachariar (Mover),

and that the Select Committee be instructed to submit its Report before the 5th December 1938."

The motion was put and declared carried.

Basheer Ahmed Sayeed Sahib Bahadur demanded a poll.

MR. SPEAKER:—" Hon. Members will please occupy the seats allotted to them."

The question was again put and a poll was again demanded. A poll was taken and the House divided thus:

Ayes.

1 The Hon. Sri C. Rajagopalachariar.
2 „ Dr. P. Subbarayan.
3 „ Sri B. Gopala Reddi.
4 „ Sri S. Ramanathan.
5 „ Sri T. Prakasam.
6 „ Yakub Hasan Sahib Bahadur.
7 Sri A. Kaleswara Rao.
8 „ T. Viswanatham.
9 „ K. R. Karant.
10 „ B. Ananthachar.
11 Srimathi Anjalai Ammal.
12 Sri N. Annamalai Pillai.
13 „ Muthu Kr. Ar. Kr. Arunachalam Chettiyar.
14 „ S. C. Balakrishnan.
15 „ Y. V. A. Bhaskara Rao Mahasayo.
16 „ V. Bhuvarahan.
17 „ P. Luchappa Nayudu.
18 „ O. Chengam Pillai.
19 „ S. Chidambara Ayyar.
20 „ A. B. Shetty.
21 „ N. S. Varadachari.
22 „ P. Chinnamuthu.
23 „ M. P. Damodaram.
24 „ M. Doraikannu.
25 „ D. Govinda Doss.
26 „ C. K. Govinda Nayar.
27 „ S. Guruvulu.
28 „ N. Halasyam Ayyar.
29 „ K. Ishwara.
30 Mrs. Jebamoney Masillamoney.
31 Sri D. Kadirappa.
32 „ E Kannan.
33 „ A Vedaratnam Pillai.
34 Muhammad Moh deen Maracair Ahmed Thambi Sahib Bahadur.
35 Sri M. Bhaktavatsalam.
36 „ A. Karunakara Menon.
37 „ K. Kolandavelu Nayanar.
38 „ G. Krishnamurti.
39 „ L. Krishnaswami Bharathi.
40 „ K. Kulasekaran.
41 „ K. Kuppuswami Ayyar.
42 Srimati A. V. Kuttimalu Amma.
43 „ V. Lakshmi Ammal.
44 Sri P. M. Adikesavalu Naicker.
45 „ P. Madhavan.
46 Sri R. S. Manickam.
47 Mrs. Rukmini Lakshmipathi.
48 K. S. Muhammad Abdul Kadir Ravuttar Sahib Bahadur.
49 Sri S. Nagappa.
50 „ N. Nagaraja Ayyangar.
51 „ P. L. Narasimha Raj.
52 „ C. Narasimham.
53 „ V. V. Narasimham.
54 „ M. G. Natesa Chettiyar.
55 „ C. Obi Reddi.
56 „ V. C. Palaniswami Goundar.
57 „ C. R. Parthasarathi Ayyangar.
58 „ P. Pedda Padalu.
59 „ K. Periyaswami Goundar.
60 „ M. P. Periyaswami.
61 „ B. Perumalla Nayudu.
62 „ R. Raghava Menon.
63 „ R. B. Ramakrishna Raju.
64 „ T. N. Ramakrishna Reddi.
65 „ D. Ramalinga Reddiyar.
66 „ A. Ramalingam.
67 „ K. S. Ramaswami Goundar.
68 „ J. Sivashanmugham Pillai.
69 „ G. Rangayya Nayudu
70 „ K. Sakthivadivelu Goundar.
71 „ P. R. K. Sarma.
72 „ K. Shanmugham.
73 „ H. Sitarama Reddi.
74 „ P S. Srinivasa Ayyar.
75 „ N. M. R. Subbaraman.
76 „ P. Subbiah.
77 „ A. M. P. Subbaraya Chettiyar.
78 „ A. Subrahmanyam.
79 „ K. V. R. Swami.
80 „ P. Syamasundara Rao.
81 „ V. . R M. Valliappa Chettiyar.
82 „ K. Varadachari.
83 „ Gopavaram Venkata Reddi.
84 „ B. Venkatachalam Pillai.
85 „ P. T. Venkatachari.
86 „ B. Venkatnarayana Reddi.
87 „ R. Venkatappa Nayudu.
88 „ K. Venkatappayya.
89 „ P. Venkatarama Ayyar.
90 „ R. S. Venkataramiah.
91 „ B. Venkatarao Baliga.
92 „ R. Venkatasubba Reddiyar.
93 „ V. Venkatasubbayya.

Ayes—cont.

94 Sri K. P Yagneswara Sarma.
95 P. K. Mohideen Kutty Sahib Bahadur.
96 Sri D. S Prasad.
97 Ahmad Badsha Sahib Bahadur.
98 Sr A Chandoo.
99 Khan Bahadur Mahmud Schamnad Sahib Bahadur.
100 Sri Adimulam Jamedar.
101 „ B. Bhakthavathsalu Nayudu.
102 Abdul Hameed Khan Sahib Bahadur.
103 K. Abdur Rahman Khan Sahib Bahadur.
104 Muhammad Rahmathullah Sahib Bahadur.
105 I. Basheer Ahmed Sayeed Sahib Bahadur.
106 Rao Bahadur M. C. Rajah.

Noes.

1 Sri G. Krishna Rao.
2 Sri R. M. Palat.

(When the counting was over the results had not been announced.)

SRI K. R. KARANT :—" Mr. Speaker, is it open to an hon. Member who challenged a division, to vote for the motion, as my friend, Mr. Basheer Ahmed has done? "

MR. SPEAKER :—" Well, evidently he has changed his mind." (Laughter.)

MR SPEAKER :—" The result of the poll is as follows :—

' Ayes : 106. Noes : 2. The motion is carried.'

" I nominate the Hon. Sri C. Rajagopalachariar as the Chairman of the Select Committee."

The House then adjourned to meet again at 3 p.m. on the 7th December 1938.

APPENDIX I.

[Vide answer to starred question No. 339 asked by Sri G. Krishna Rao at the meeting of the Legislative Assembly held on the 2nd December 1938, page 380 supra.]

SCALE OF FEES LEVIED FOR SPECIAL TEST EXAMINATIONS.

Old rates. List of Special Tests.	Fees.	*Present rates.* List of Special Tests.	Fees.
	RS.		RS.
1 The Translation Test	6	1 The Translation Test	10
2 The Account Test	6	2 The Account Test for Executive Officers	10
3 The Account Test for Agricultural Officers	6	3 The Account Test for Subordinate Officers, Part I	10
4 The Account Test for Public Works Department Officers	6	4 The Account Test for Subordinate Officers, Part II	10
5 The Account Test for Subordinate Officers, Judicial Department ..	6	5 The Account Test for Public Works Department Officers and Subordinates	10
6 The Civil Judicial Test	6	6 The Civil Judicial Test	10
7 The Criminal Judicial Test ..	10	7 The Criminal Judicial Test ..	15
8 The Revenue Test	8	8 The Revenue Test (three parts) ..	12
9 The Jail Test	10	9 The Jail Test	10
10 The Jail Test, Law part ..	6	10 The paper on 'Laws, rules, regulations and orders' relating to jail management, in the Jail Test	2
Do. Finance part ..	6		
11 The Criminal Procedure Code as prescribed for the Criminal Judicial Test	3	11 The Code of Criminal Procedure as prescribed for the Criminal Judicial Test	5
12 Paper consisting of the Agricultural Departmental Manual and the Agricultural College and Estate Manual	4	12 The Agricultural Department Test.	10

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APPENDIX II.

[Vide answer to the starred question No. 348 asked by Sri B. Bhakthavathsalu Nayudu at the meeting of the Legislative Assembly held on the 2nd December 1938, page 389 supra.]

Board's Proceedings Routine No. 3862, dated 15th September 1938.

The information called for by the Government in respect of clauses (a), (b) and (c) of starred question No. 115, asked in the Legislative Assembly on 19th August 1938, is furnished in the statements A, B and C below.

2. As regards clause (d) of the question the Collector of North Arcot reports that the village headmen were not frequently summoned for enquiry during the collection period, that *generally* the headmen of those villages within a radius of five miles of the taluk headquarter or the Tahsildar's camping place were alone summoned by the Tahsildar, that out of 31 village headmen summoned by the Revenue Divisional Officer during the collection period, 9 were summoned to appear at the taluk headquarters and the rest at Ranipet, the Revenue Divisional Officer's headquarters. The Collector also reports that in no case were these officers made to wait unnecessarily until late in the night.

STATEMENT A.

Showing the number of village officers in Arkonam taluk departmentally punished in each of the years 1936, 1937 and 1938.

Year.	Designation.	Black marks.	Fines, number.	Suspension.	Removal.	Dismissal.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1936 ..	Headman	67	62	12	..	..
	Karnam	54	17	4	1	..
	Talayari	3	4	..	..	..
	Toti	..	4	..	..	..
	Total ..	124	87	16	1	..
1937 ..	Headman	144	42	12	2	2
	Karnam	101	21	7	..	1
	Talayari	..	4	3	..	..
	Toti	..	3	2	..	..
	Total ..	245	70	24	2	3
1938 .. (Half year ending 30th June 1938).	Headman	75	38	6	2	..
	Karnam	118	29	6	..	..
	Talayari	..	3	1	..	..
	Toti	..	3	4	1	..
	Total ..	193	73	17	3	..

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STATEMENT B.

Showing the number of village headmen fined or suspended for slackness in collection work in 1938.

	Number.
Fined ..	.. 22
Suspended	.. 2

STATEMENT C.

Showing the total amount of fine realized from headmen form 1st January 1938 to 30th June 1938.

Number.	Amount.
	RS. A. P.
37	.. 241 0 0

N.B.—Includes headmen fined for reasons other than slackness in collection.

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APPENDIX III.

[Vide answer to starred question No. 356 asked by Sri B. Bakthavathsalu Nayudu at the meeting of the Legislative Assembly held on the 2nd December 1938, page 395 supra.]

List of District Board Elementary Schools closed in North Arcot.

Serial number and name of the school

ARKONAM TALUK.

(1) Kilvenkatapuram.
(2) Kaveripauk (Adi-Dravida).
(3) Vengapet.

WALAJAH TALUK.

(4) Vadakadapanthangal (boys).
(5) Manthangal.
(6) Kavanur.
(7) Arumbakkam.
(8) Jambukolam.
(9) Vadakadapanthangal (girls).
(10) Kodakkal.
(11) Panchapandavamalai.
(12) Kolatheri.
(13) Kalavai (Muhammadan).
(14) Veppoor.

VELLORE TALUK.

(15) Sathuvachari (Adi-Dravida).
(16) Agaram.
(17) Agaram Cheri.
(18) Velangadu.
(19) Pangalathan.
(20) Eripudur.
(21) Kilvallam.
(22) Gollamangalam.
(23) Chinnapallikuppam.
(24) Pulimedu.
(25) Vengili.
(26) Palambakkam.
(27) Vannanthangal.
(28) Nedumipalayam.
(29) Govindareddipalayam (Muhammadan).
(30) Thippusahibkottai (Muhammadan).
(31) Thippasamudram (Muhammadan).

ARNI TALUK.

(32) Kunnathur (Adi-Dravida).
(33) Meyyur.
(34) Palangamur.
(35) Puthur 107.
(36) Iyyampalayam.
(37) Vettiyantholuvam.

GUDIYATTAM TALUK.

(38) Vadacheri (girls).
(39) Thuthipet.
(40) Mukundram.
(41) Kanguppam.
(42) Udayendram.
(43) Satghur.

Serial number and name of the school.

GUDIYATTAM TALUK—*cont.*

(44) Kumaramangalam
(45) Udayendram (Muhammadan boys).
(46) Balour.
(47) Veppur Ramannavoor.
(48) Olakachi.

TIRUPPATTUR TALUK.

(49) Ramanayakanpet (Muhammadan).
(50) Sellandampalli.
(51) Annandapatti.
(52) Narayanapuram.
(53) Badakuppam.
(54) Madanancheri.

POLUR TALUK.

(55) Chetpet (Muhammadan girls).
(56) Kalambur (Muhammadan girls).
(57) Alampondai.
(58) Kadaladi (Adi-Dravida).
(59) Kannanur.
(60) Karpundi.
(61) Melvilvarayanellore.
(62) Ogur.
(63) Pilasur.
(64) Polur (Muhammadan).
(65) Potharai.
(66) Sengunam.
(67) Veeralur (Adi-Dravida).
(68) Veerasambanur.
(69) Vilapakkam.
(70) Valur (girls).

CHEYYAR TALUK.

(71) Pallavaram.
(72) Vadananghur.

WANDIWASH TALUK.

(73) Pullivoy (Muhammadan girls).
(74) Wandiwash (Muhammadan).

TIRUVANNAMALAI TALUK.

(75) Palayanur.
(76) Thurinjapuram.
(77) Velanendal.
(78) Vedanatham.
(79) Thalayampallam.

CHENGAM TALUK.

(80) Alathoor.
(81) Melravandavadi.
(82) Nagapadi.
(83) Alaputhur.

APPENDIX IV.

[Vide answer to unstarred question No. 112 asked by Sri P. R. K. Sarma at the meeting of the Legislative Assembly held on the 2nd December 1938, page 408 supra.]

G.O. No. 1693, Development, dated 13th July 1938.

The Government have examined the question whether the Government Servants' Conduct Rules impose such restrictions on their industrial employees working in (1) the Government Press, (2) the Public Works Workshops and (3) the Industrial Engineering Workshops, as are incompatible with the privileges allowed to members of a registered union under the Indian Trade Unions Act, 1926, and are pleased to pass the following orders:—

(1) *The Government Press.*—The Government Servants' Conduct Rules apply to the ministerial officers and inferior servants of the Government Press mentioned in the Schedule to G.O. No. 951, Public (Services), dated the 16th November 1933—

(i) statutorily if the employees held the posts on the 26th May 1930, and

(ii) by virtue of paragraph 2 of G.O. No. 83, Finance, dated the 9th February 1934, if the employees were entertained after the 26th May 1930.

Orders on the question of relaxation of the Government servants' Conduct Rules in the case of these employees in a manner compatible with their rights and privileges under the Indian Trade Unions Act will be issued separately in the Education and Public Health Department.

(2) *The Public Works Workshops, Madras.*—The employees are members of the work-charged establishment who are not governed by the Civil Services (Classification, Control and Appeal) Rules and therefore by the Government Servants' Conduct Rules. Nor have Government issued special orders making the rules applicable to them under the powers vested in them by the Secretary of State's directions recorded in G.O. No. 592, Public (Services), dated the 25th May 1931. Hence they are entitled to enjoy the privileges allowed to them by the Indian Trade Unions Act, 1926.

(3) *The Industrial Engineering Workshops.*—The Director of Industries reports that the industrial employees, such as fitters, turners, machinemen, blacksmith, hammermen, drivers and coolies are subject to discharge at less than one month's notice and will not be governed by the Civil Services (Classification, Control and Appeal) Rules under rule 3 of the rules, while the foremen, mechanics, accountants, clerks and peons employed in the workshop are not

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members of the industrial engineering workshop union. There are thus no members of the union to whom the Government Servants' Conduct Rules apply and the members of the union can enjoy the privileges allowed to them by the Trade Union Act, 1926.

(By order of His Excellency the Governor)

C. J. PAUL,
Secretary to Government.

ENCLOSURES

(i)

G.O. No. 951, Public (Services), dated 16th November 1933.

The following notification will be published in the *Fort St. George Gazette*:—

NOTIFICATION.

In exercise of the powers conferred by sub-rule (1) of rule 4 of the Civil Services (Classification, Control and Appeal) Rules, the Governor in Council is hereby pleased to declare that the said rules cannot suitably be applied to the ministerial officers and inferior servants of the Government Press, Madras, mentioned in the schedule annexed hereto and to exclude them wholly from the operation of the said rules:

Provided that nothing contained in this notification shall apply to a person who on the 26th May 1930—

(*a*) was holding any post mentioned in the said schedule in a permanent capacity, or

(*b*) was holding any such post in an officiating or provisionally substantive capacity and has been subsequently confirmed in such posts without having reverted therefrom.

SCHEDULE.

I. General—
Computers including Head Computers.
Timekeepers.
Warehousemen.
Despatchers including Head Despatcher.

II. Supervision—
Foremen including Assistant Foremen.
Overseers.

III. Mechanical Branch—
Mechanics.
Assistant Mechanics.
Head Electrician.
Assistant Electricians.
Stereo and electro-typers.
Punch-cutters.
Engravers.
Dressers.
Monotype caster attendants.

III. Mechanical Branch—*cont.*
Type casters.
Finishers.
Roller casters.
Rubber-stamp makers.
Labourers.

IV. Operatives—
Pressmen.
Layers-on.
Machine-minders.
Binders.
Compositors.
Composing machine operators.
Form carriers.

V. Readers and copyholders—
Readers including Head Reader.
Copyholders.

(By order of the Governor in Council)

G. T. H. BRACKEN,
Chief Secretary.

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(ii)

G.O. Ms. No. 83, Finance, dated 9th February 1934.

In G.O. No. 951, Public (Services), dated 16th November 1933, the ministerial officers and inferior servants of the Government Press, Madras, with certain exceptions have been excluded wholly from the operation of the Civil Services (Classification, Control and Appeal) Rules. In respect of the excluded employees, provisos (3) and (4) to paragraph 1 of the direction in G.O. No. 592, Public (Services), dated 25th May 1931, issued by the Secretary of State in Council will apply. The requirements in proviso (3) of that direction should be strictly observed by the Superintendent, Government Press. The same procedure should be observed in respect of orders of reduction and recovery from pay of the whole or part of any pecuniary loss caused to the Government by negligence or breach of orders.

2. The Government direct that in respect of all other matters such as the following, the existing rules and orders governing them shall apply unless they are specifically cancelled or modified:—

(1) Methods of recruitment, pay, leave allowance, pension and other conditions of service.

(2) Conduct and discipline (other than the penalties of reduction, removal, dismissal and recovery from pay of the whole or part of any pecuniary loss caused to the Government by negligence or breach of orders).

(3) Appeals in disciplinary cases.

(By order of the Governor in Council)

S. A. VENKATARAMAN,
Deputy Secretary to Government.

(iii)

G.O. No. 592, Public (Services), dated 25th May 1931.

READ—the following paper:—

Letter from D. GLADDING, Esq., I.C.S., Officer on Special Duty, Home Department (Establishments) to all Local Governments and Administrations (Coorg, Delhi and Andaman and Nicobar Islands), dated Simla, the 6th May 1931, No. F. 9/3/30-Ests.

With reference to the correspondence ending with your letter No. Ms.-1612, dated the 20th December 1930, I am directed to forward, for the information and guidance of the local Government, a copy of the direction which the Secretary of State for India in Council has issued in connexion with rules 3 and 4 of the Civil Services (Classification, Control and Appeal) Rules.

DIRECTION.

With reference to rules 3 and 4 of the Civil Services (Classification, Control and Appeal) Rules, the Secretary of State in Council has been pleased to direct that the Governor General in Council or a local Government as the case may be (hereinafter called " the

Government ") shall in respect of recruitment, conditions of service, pay, allowances, discipline, conduct and pensions have full power of control (including power of delegating control to subordinate authorities) over—

(i) persons in part-time civil employment,

(ii) persons in civil employment employed only occasionally or subject to discharge at less than one month's notice,

and over persons excluded from the scope of the said rules by an order under rule 4 of those rules to the extent of such exclusion. Provided that:

(1) this direction shall not empower the Government to affect to the disadvantage of any such person in any respect the conditions of service applicable to him on 26th May 1930, unless the Government had power so to affect them on 8th March 1926, or unless such person gives his consent;

(2) in respect of the pay of any such person the restrictions on the financial powers of the Government imposed by rule 10 of the rules referred to above shall be observed;

(3) no order of removal or dismissal shall be passed on a person excluded under rule 4 of the said rules from the operation of rule 55 of those rules (other than an order based on facts which have led to his conviction in a criminal court) unless he has been informed in writing of the order which it is proposed to pass and of the grounds on which it is proposed to pass it, and has been afforded a reasonable opportunity of making any representation that he may desire to make and such representation, if any, has been taken into consideration before the order is passed.

This proviso shall not apply where the person concerned has absconded or where it is for other reasons impracticable to communicate with him. Any of its requirements may, for sufficient reasons to be recorded in writing, be waived, where there is difficulty in observing the requirement and the requirement can be waived without injustice to the person concerned.

(4) If the Government has, whether under the said rules or under this direction, delegated to an authority subordinate to it power to impose a penalty upon a person excluded under rule 4 of the said rules from the operation of any of the said rules which confers a right of appeal from an order of punishment, such person shall have the right of at least one appeal to a higher authority from an order imposing such penalty.

2. Nothing in this direction shall apply to railway servants as defined in section 3 of the Indian Railways Act, 1890, or to other persons holding posts under the administrative control of the Railway Board or of the Financial Commissioner of Railways.

Order—No. 592, Public (Services), dated 25th May 1931.

Recorded.

(By order of the Governor in Council)

C. W. E. COTTON,
Chief Secretary.

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G.O. No. 1820, L., dated 20th August 1934.

The Government are pleased to issue the rules appended to this order for the recognition of associations of industrial employees in this Presidency under the Local Government.

(By order of the Governor in Council)

N. GOPALASWAMI,
Secretary to Government.

APPENDIX.

Rules for the recognition of associations of industrial employees of the Government.

1. Government are prepared to accord official recognition to associations of their industrial employees. The grant and continuance of recognition rest in the discretion of Government but recognition when granted will not be withdrawn without due cause and without giving an opportunity to the association to show cause against such withdrawal.

2. Notwithstanding anything contained in the rules relating to the submission of petitions and memorials by Government servants, representations from recognized associations whether made orally by deputation, or presented in writing, may be received by Government officers, subject to the observance of rule 6 and to such further restrictions as may be imposed by a department of Government in respect of representations which raise no question of common interest to the class represented by the association.

3. Recognition will not ordinarily be granted or continued to any association unless it complies with the following conditions:—

(i) it must consist of a distinct class of Government employees;
(ii) all Government employees of the same class must be eligible for membership; and
(iii) it must be registered under the Indian Trade Unions Act.

4. Government may require the regular submission of copies of the rules of any recognized association, of its annual accounts and of its list of members.

5. No recognized association shall maintain a political fund except with the general or special sanction of Government and subject to such conditions as Government may impose.

6. Government may specify the channel through which representations from recognized associations shall be submitted and the authority by whom deputations may be received.

7. The officer who is empowered to grant leave to a Government employee will, so far as is possible, grant casual leave to an employee who is a representative of a recognized association to attend duly constituted meetings of the association. The grant of such leave will be subject to the exigencies of the service, of which the officer in question shall be the sole judge.

8. Government may delegate any of its powers under the preceding rules to any authority subordinate to it.

9. These rules supersede all previous rules in respect of all associations to which they are applicable.

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APPENDIX V.

[Vide answer to unstarred question No. 129 asked by H. S. Hussain Sahib Bahadur at the meeting of the Legislative Assembly held on the 2nd December 1938, page 418 supra.]

List of temples and maths exempted wholly or partially from the provisions of the Hindu Religious Endowments Act, 1926.

Serial number and institutions exempted from the operation of the provisions of the Act.	Nature of exemption.
I. VIZAGAPATAM DISTRICT.	
1 Sri Ramalingeswaraswami temple, Jaggayyapeta village, Anakapalle taluk.	Complete exemption.
II. KISTNA DISTRICT.	
1 Gowrisankareswari temple, Gudivada village, Gudivada taluk.	Complete exemption.
2 Sri Anjaneyaswami temple, Poranki, Bezwada taluk.	Do.
III. GUNTUR DISTRICT.	
1 Sri Kanyakaparameswari temple, Guntur town, Guntur taluk.	Partial exemption.
2 Sri Chandramowleswarasami temple, Vadlamudi village, Tenali taluk.	Partial during the life-time of the founder.
3 Sri Chennakesavaswami temple, Edlapadu, Narasaraopet taluk.	Complete exemption.
IV. BELLARY DISTRICT.	
1 Sri Nagareswaraswami temple, Hospet village, Hospet taluk.	Complete exemption for a period of fifteen years.
V. ANANTAPUR DISTRICT.	
1 Sri Kanyakaparameswari temple, Kadiri town, Kadiri taluk.	Partial exemption.
2 Sri Lakshmichennakesavaswami temple, Anantapur town, Anantapur taluk.	Complete exemption.
VI. CHITTOOR DISTRICT.	
1 Sri Hathiramjee math, Tirupati, Chandragiri taluk.	Partial exemption.
VII. NELLORE DISTRICT.	
1 Sri Kanyakaparameswari temple, Stonehousepet, Nellore town, Nellore taluk.	Partial exemption.
2 Sri Kodandaramaswami temple, Buchireddipalem village, Kovur taluk.	Do.
3 Sri Kodandaramaswami and Anjaneyaswami temples, Singapeta village, Kovur taluk.	Complete exemption.
VIII. CHINGLEPUT DISTRICT.	
1 Sri Sundareswaraswami temple, Kovur village, Sriperumbudur taluk.	Partial exemption.
IX. SOUTH ARCOT DISTRICT.	
1 Sri Sabanayagar temple, Chidambaram town, Chidambaram taluk.	Partial exemption.

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Serial number and institutions exempted from the operation of the provisions of the Act.	Nature of exemption.

X. TANJORE DISTRICT.

1 Dharmapuram math	Partial exemption.
2 The following temples and specific endowments under the control of the Dharmapuram math except Rajam Kattalai attached to Sri Theyagarajaswami temple at Tiruvarur.	Do.

Temples under the control of Dharmapuram math.

(1) Sri Thuraikattum Vallalar temple, Vilanagar (Arupatty).
(2) Sri Veeratteswaswami temple, Parasaloor.
(3) Sri Amirthagadeswaraswami temple, Thirukkadaiyur.
(4) Sri Swayambunathaswami temple, Peralam.
(5) Sri Theyagarajaswami temple, Thirukkuvalai.
(6) Sri Subrahmanyaswami temple, Mayavaram.
(7) Sri Viswanathaswami temple, Mayavaram.
(8) Sri Vadhanya Parameswara temple, Mayavaram.
(9) Sri Uthavethiswaraswami temple, Kuttalam.
(10) Sri Kampahareswaraswami temple, Thirubhuvanam.
(11) Sri Arunajateswaraswami temple, Thiruppanandal.
(12) Sri Panchanadeswaraswami temple, Tiruvadi.
(13) Sri Sakthipuriswaraswami temple, Karumuhilnathampettai.
(14) Sri Sundareswaraswami temple, Manakkudi.
(15) Sri Lakshmipuriswaraswami temple, Thirumandriyur.
(16) Sri Vaithinathaswami temple, Velur, Vaithiswarankoil.
(17) Sri Sattanadhaswami temple, Shiyali.
(18) Sri Veeratteswaraswami temple, Korukkai.
(19) Sri Kutramporuthiswaraswami temple, Thalainayar.
(20) Sri Mullavanandaswami temple, Tirumullavasal.
(21) Sri Sivaloga Theyagarajaswami temple, Achalpuram.

Specific endowments.

(22) Picha kattalai attached to Sri Mahalingaswami temple, Tiruvidaimarudur.

3 Thiruvaduthurai math	Partial exemption.
4 The following temples and specific endowments attached to Thiruvaduthurai math :—	Do.

Temples.

(1) Sri Gomathiswaraswami temple, Thiruvaduthurai.
(2) Sri Vedaranyaswami temple, Thiruvelangadu.
(3) Sri Neelakanteswaraswami temple, Iluppapattu.
(4) Sri Mayuranadhaswami temple, Mayavaram.
(5) Sri Mahalingaswami temple, Tiruvadamarudur.
(6) Sri Swayambunathaswami temple, Narasingampettai.
(7) Sri Viswanadhaswami temple, Karakandan.
(8) Sri Suryanarayanaswami temple, Suryanarkoil.
(9) Sri Prananadaswami temple, Thirumangalakudi.
(10) Sri Akshayanadhaswami temple, Thirumanthurai.
(11) Sri Vanapuriswaraswami temple, Vanapuram.
(12) Sri Manogyanadaswami temple, Thirumilakkudi.
(13) Sri Vishnudaswami temple, Thiruvizhmazhalai.
(14) Sri Kalyanasundareswaraswami temple, Nallur.
(15) Sri Athmanadaswami temple, Avudayarkoil.

Specific endowments.

(16) *Sri Pichai kattalai* attached to Thiruvaduthurai math.	Partial exemption.
5 Sri Sankaracharyar math, Kumbakonam. ..	Do.

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Serial number and institutions exempted from the operation of the provisions of the Act.	Nature of exemption.
XI. TRICHINOPOLY DISTRICT.	
1 Sri Pappammal kattalai attached to Sri Bhoominathaswami temple, Manachanallur village.	Partial exemption.
2 Sri Ujjeevanadhaswami temple, Uyyakondan village.	Partial exemption subject to certain conditions.
3 Sri Mouna math kattalai attached to the Rock Fort temple.	Do.
4 Sri Dandayuthapaniswami temple, Ayyampalayam, Musiri taluk.	Partial exemption.
5 Sri Kasiviswanathaswami temple, Nerur, Karur taluk.	Complete exemption.
6 Sri Ahobilam math, Srirangam	Partial exemption.
XII. MADURA DISTRICT.	
1 Sri Koneri Ayyah Mudaliyar kattalai attached to Sri Meenakshisundareswarar temple, Madura.	Partial exemption.
XIII. RAMNAD DISTRICT.	
1 Sri Kovilur math, Tiruppattur taluk ..	Partial exemption.
2 Sri Sugandavanaperumal temple, Kaliarkoil village, Tiruppattur taluk.	Do.
3 Sri Kailasanathar and Nityakalyani Amman temple, Devakotta.	Do.
4 All temples under the management of Seithur Zamindar, Srivilliputtur taluk.	Do.
5 Rameswaram Devasthanam, Ramnad ..	Do.
XIV. TINNEVELLY DISTRICT.	
1 Sri Tiruchendi Vinayagar temple, Tinnevelly town.	Partial exemption subject to certain conditions.
2 Sri Subramanyaswami temple, Kurukkuthurai.	Do.
3 Sri Somanatheswarar temple, Arumuganeri.	Do.
4 Sri Papavinasaswami temple, Papanasam ..	Do.
5 Sri Udayamarthandan kattalai attached to Sri Subramanyaswami temple, Valliyur.	Do.
6 Sri Pradosha kattalai attached to Sri Subramanyaswami temple, Tiruchendur.	Do.
7 Sri Visaka kattalai attached to Subramanyaswami temple, Tiruchendur.	Do.
8 Sri Annadhana kattalai attached to Subramanyaswami temple, Tiruchendur.	Do.
9 Sri Tiruppani kattalai attached to Subramanyaswami temple, Tiruchendur.	Do.
10 Sri Arulpani kattalai attached to Subramanyaswami temple, Tiruchendur.	Do.
11 Sri Kailasanatharkoil kattalai attached to Kailasanather temple, Srivaikuntam.	Do.
12 Sri Vilapuja kattalai attached to Sri Kudakaleeswarar temple, Kaddayanathur.	Do.
13 Sri Vilapuja kattalai attached to Sri Kuttalanathaswami temple, Courtallam.	Do.
14 Sri Vanamamalai Math, Nanguneri ..	Partial exemption.
15 Sri Tirukurungudi Math, Nanguneri taluk	Do.
16 Sri Dattatreya Mandiram, Courtallam, Tenkasi taluk.	Complete exemption.
XV. COIMBATORE DISTRICT.	
1 Sri Koumara Math in Saravanapatti village, Coimbatore taluk.	Partial exemption

Serial number and institutions exempted from the operation of the provisions of the Act.	Nature of exemption.

XVI. MALABAR DISTRICT.

Temples under the management of the Cochin State.

PALGHAT TALUK.

1 Sambhusala temple, Manjalur village	Complete exemption.
2 Sri Narayanaswami temple, Manjalur village ..	Do.
3 Kiliyil temple, Cheramangalam village	Do.
4 Ammathiruvadi temple, Tholanur village	Do.
5 Ayyappan Kavu temple, Tholanur village ..	Do.
6 Siva temple, Tholanur village	Do.
7 Vadakkumnathan temple, Pulapilli village ..	Do.
8 Pallanchathanur temple, Pallanchathanur village.	Do.
9 Mannath Kavu, Pallanchathanur village	Do.
10 Kolakurissi temple, Pallanchathanur village ..	Do.
11 Eramangalam Vadakkumnathan temple, Koyalmannam village.	Do.
12 Valavasseri temple, Pallanchathanur village ..	Do.
13 Nalliyankavu temple, Pallanchathanur village ..	Do.
14 Nagaswaram temple, Pallanchathanur village ..	Do.
15 Mathur Payyalur temple, Mathur village	Do.
16 Ammathiruvadi temple, Kottaya village	Do.
17 Vilwadrinathan temple, Vellicode village	Do.
18 Ayyappan Kavu temple, Vellicode village	Do.
19 Valayappilli Kavu temple, Vellicode village ..	Do.
20 Thiruvilangat Kavu temple, Vellicode village ..	Do.
21 Kandeswarapuram temple, Vellicode village ..	Do.
22 Ganapathi temple, Vellicode village	Do.
23 Thiruvazhadi Siva temple, Kannanur	Do.
24 Kanokkanur Siva temple, Kannanur	Do.
25 Cheru Kannambra Siva temple, Ayakkad ..	Do.
26 Palliyarkavu Bhagavathi temple, Ayakkad ..	Do.
27 Alungal Sastha temple, Ayakkad	Do.

PONNANI TALUK.

28 Koyippili temple, Perumpatappu	Complete exemption.
29 Ayyappan Kavu temple, Edathuruthi	Do.
30 Siva temple, Edathuruthi	Do.
31 Triprayar Sri Ramaswami temple, Nattika ..	Do.
32 Manigramam temple, Irinjapra	Do.
33 Kannamkulam Siva temple, Perumpatappu ..	Do.
34 Aliparambath Sastha temple, Perumpatappu ..	Do.
35 Palliyarakavu Bhagavathi temple, Perumpatappu.	Do.

WALLUVANAD TALUK.

36 Sinhodoran Kotta temple, Mannampatta	Complete exemption.
37 Subramanian temple, Mannampatta	Do.
38 Ganapathi temple, Mannampatta	Do.
39 Sastha temple, Mannampatta	Do.
40 Sunhod Asan temple, Mannampatta	Do.
41 Sri Kandeswaran temple, Pulapatta village ..	Do.
42 Ayyappan Kavu temple, Pulapatta village ..	Do.
43 Thiruvanesseri temple, Pulapatta village	Do.
44 Koranad temple, Pulapatta village	Do.
45 Kutappanakad, Moomanazhi	Do.

Temples under the management of the Raja of Chirakkal.

CHIRAKKAL TALUK.

1 Madayil Kavu temple	Partial exemption.
2 Kalarivathukkal	Do.
3 Cherukunnu temple, Chirakkal taluk	Do.
4 Katalayi temple, Chirakkal taluk..	Do.
5 Siveswaram temple, Chirakkal taluk	Do.
6 Naniyur temple	Do.
7 Kizhara Koolam temple	Do.
8 Kuruvayil temple	Do.

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Serial number and institutions exempted from the operation of the provisions of the Act.	Nature of exemption.
XVI. MALABAR DISTRICT—*cont.*	
Temples under the management of the Raja of Chirakkal —cont.	
CHIRAKKAL TALUK—*cont.*	
9 Kunnavil temple	Partial exemption.
10 Pattuvath temple	Do.
11 Pattuvath Kunhimathilakam	Do.
12 Thiruvadur temple	Do.
13 Vateswaram temple	Do.
14 Arayala temple	Do.
15 Thekumbattukulam	Do.
16 Kunhimangalam	Do.
17 Muzhappilangat	Do.
18 Chowa	Do.
19 Kootiyathur	Do.
20 Pavanur	Do.
21 Merayankanur	Do.
22 Puthur	Do.
23 Karivallur	Do.
24 Dhanwanthara	Do.
25 Kizhakkekara Krishnamathilakam	Do.
26 Patinhare Karakrishnamathilakam	Do.
27 Panankavu	Do.
28 Trikkatampu	Do.
29 Chundayil Vettakommakam Kottam	Do.
30 Subramania Mathilakam	Do.
31 Kunhil Mathilakam	Do.
32 Vettakunnapuzha	Do.
33 Eripuram	Do.
34 Trikoil	Do.
35 Pandikulangara	Do.
36 Trikkoth	Do.
XVII. SOUTH KANARA DISTRICT.	
1 Manjunatha temple, Dharmartala village, Puthur taluk.	Complete exemption.

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APPENDIX VI.

[Vide answer to unstarred question No. 130 asked by Sri S. Nagappa at the meeting of the Legislative Assembly held on the 2nd December 1938, page 418 supra.]

List of villages for which remission was granted in the Kurnool district.

Percentage remission granted.	Name of the taluk and village.
	Koilkuntla taluk.
6 annas in the rupee.	1 Peddakopperla.
	2 Bheemunipad.
	3 Kollmigundla.
	Dhone taluk.
75 per cent ..	1 Peddapodilla.
	2 Devarabanda.
	3 Kothakota.
50 per cent ..	4 Kothaburuzzu.
	5 Eddupenta.
	6 Chanugondla.
	Kurnool taluk.
100 per cent ..	1 Anugonda.
	2 Pyalakurthi.
	3 Kodumur.
	4 Penchikalapad.
	5 Belagal.
	6 Palukudoddi.
	7 Gundrevula.
	8 Polukal.
	9 Julekal.
	10 Gudipad.
	11 Pusulur.
50 per cent ..	12 Mudumalagurthi.
	13 Pulakurthi.
	14 R. Khanapuram.
	15 Sunkesula.
	16 Chanugondla.
	17 Amadaguntla.
	18 Budidapad.
	19 Laddagiri.
	20 Varukur.
	21 Kondapuram.
	22 Munagala.
	23 Kambadahal.
	24 Gudur.
	25 Mallapuram.
	26 Ponnakal.
	27 Kothakota.
	28 K. Nagalapuram.
	29 Gorantla.
	30 R. Kontalapad.
	31 Remata.

Percentage remission granted.	Name of the taluk and village.
	Pattikonda taluk.
75 per cent ..	1 Khyruppala.
	2 Muthukkur.
	3 Billekal.
	4 Potlapad.
	5 Banavanur.
	6 B. Agraharam.
	7 D. Kotakonda.
	8 Bondimudugula.
	9 Mukkella.
	10 Kadamguntla.
	11 Jonnagiri.
	12 G. Yerragudi.
	13 Chennampalle.
	14 Yatakal.
	15 Nallachelimala.
	16 Karumanchi.
100 per cent ..	17 Pagadroy.
	18 Maddikera East.
	19 Peravali.
	20 Tuggali.
	21 Edavali.
	22 Hampa.
	23 Peddahulthi.
	24 Chinnahulthi.
	25 Devarabanda.
	26 Puchakayalamada.
	27 Eddnladoddi.
	28 Nalakadoddi.
	29 Pendekal.
	30 Pudekonda.
	31 Hozur.
	32 Ratna.
	33 Chakralla.
	34 Pandikonda.
	35 Jutur.
	36 Pattikonda.
	37 Jilledubudakala.
	38 Kotakonda.
	39 Gundlakondla.
	40 Chellalachelimala.
	41 Karivemula.
	42 Kunkanur.
	43 Maddikera, West.
	44 Maddikera, North.
	45 Maddikera Agraharam.
	46 Burusula.
	47 Alardinne, hamlet of Velamkur.

THE MADRAS LEGISLATIVE ASSEMBLY.

Wednesday, the 7th December 1938.

The House met in the Assembly Building, Chepauk, at three of the clock, Mr. Speaker (THE HON. SRI B. SAMBAMURTI) in the Chair.

MR. SPEAKER :—" I hope that instructions for speaking into the microphone have been circulated to hon. Members of this House. I will read them again—

(1) Keep the microphone level with the face and approximately 1 foot 6 inches away.

(2) Face the microphone as far as possible.

(3) Speak slowly and in a conversational manner.

If the above instructions are not observed, the reproduction of speech will be distorted and unintelligible, and if these instructions are observed, Members will be able to hear everything more distinctly and, if they want to practise, they will be given facilities either before the commencement of the session or after it."

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Alleged assault on a Harijan named Ayyappan in Ponnani taluk on 4th July 1938.

* 379 *Q*.—SRI E. KANNAN: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether it is a fact that a Harijan, named Ayyappan, was assaulted by some Mappillas of Panangad amsam, Ponnani taluk, on 4th July 1938; and

(*b*) whether the Government have received any representation about it and if so, what they have done in the matter?

THE HON. SRI C. RAJAGOPALACHARIAR :—" (*a*) The allegation is probably true, but the person assaulted did not file what could be taken up as a complaint, and the case was non-cognizable.

" (*b*) The Government have received no representation."

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Alleged ill-treatment of the Harijans of Jambukulam village, Wallajah taluk, by the caste Hindus.

* 380 *Q.*—SRI J. SIVASHANMUGHAM PILLAI: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether the Government are aware of the representations made by the Harijans of the Jambukulam village, Wallajah taluk, to the Collector of North Arcot district about the ill-treatment meted out to them by the caste Hindus;

(*b*) if the answer to the above is in the affirmative, what the allegations contained in the above representations are; and

(*c*) what steps the Government have taken or propose to take to redress the grievances of the Harijans?

THE HON. SRI C. RAJAGOPALACHARIAR:—" (*a*) The answer is in the affirmative.

" (*b*) The trouble arose out of an incident as a result of which a case Hindu girl complained to her father about a young man of the Harijan community. The main allegations are—

(i) that one Parasuraman was beaten and fined by the headman and others, on the ground that he had touched a caste Hindu girl;

(ii) one Lakshmanan and others were beaten on another occasion, as he was found reading a book;

(iii) that heavy fines are inflicted on them for no fault at all;

(iv) that their wages have been reduced;

(v) that the caste Hindus have ordered the cobblers not to do any work for them; and

(vi) that the village headman and the caste Hindus are terrorizing and oppressing them in various other ways.

" (*c*) The Revenue Divisional Officer of Ranipet and the District Labour Officer of North Arcot have enquired into the allegations contained in the petition. Action against the assailants for specific acts of violence could not be taken as the matter was not reported to the authorities in time. The Revenue Divisional Officer and the District Labour Officer have given suitable advice to all the parties not to give room for trouble in future. The wages are reported to have since been restored to the original rates. The District Magistrate has already instructed the officers concerned to watch the situation in the village."

SRI J. SIVASHANMUGHAM PILLAI:—" May I know the caste to which that girl belonged? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" I think she is a peasant girl of the non-Brahman community, but I do not know the sub-sect."

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SRI E. KANNAN:—"May I know whether it is a fact tha the girl was touched by the boy by accident?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"The allegation on the one side was that it was an accident. I cannot vouchsafe as to which the true version is."

Measures for the employment of tappers thrown out of work consequent on the introduction of prohibition in Chittoor and Cuddapah.

* 381 *Q.*—SRI M. DORAIKANNU: Will the Hon. the Prime Minister be pleased to state—

(*a*) the number of unemployed tappers in the districts of Chittoor and Cuddapah; and

(*b*) whether the Government have taken any steps or have formulated any scheme to absorb the tappers who are thrown out of employment as a result of prohibition in these districts, in some other employment?

THE HON. SRI C. RAJAGOPALACHARIAR:—"(*a*) & (*b*) The problem of providing employment for tappers thrown out of employment is not of any magnitude in these districts. The number of tappers who have been thrown out of employment consequent on the introduction of prohibition may be round about 1,500 in the Chittoor district and 300 in the Cuddapah district. Most of these tappers have either agriculture or some trade to fall back upon and the few who may wish to apply for land can easily be provided with assessed wastes which are sufficiently plentiful in those taluks in which toddy was popular."

Action taken on the representations of the Muslims of South Kanara against the publication of an article entitled "Abhagini Vimale" in the "Vinodha Bharata" of Mangalore.

* 382 *Q.*—H. S. HUSSAIN SAHIB BAHADUR: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether it is a fact that, as a result of the publication of an article entitled "Abhagini Vimale" in the "Vinodha Bharata" of Mangalore, the Muslims of South Kanara have protested and sent up representations to the Government for taking necessary action;

(*b*) whether the Hon. Premier has received copies of resolutions protesting against the objectionable remarks in the said publication from the Crescent Club, Mangalore, and the Anjuman-e-Hidayatul Islam, Mangalore; and

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(c) what action the Government have taken or propose to take in the matter and when?

THE HON. SRI C. RAJAGOPALACHARIAR:—"The attention of the hon. Member is invited to the answer to unstarred question No. 128."

Selection of Sub-Inspectors of Police by the Deputy Inspector-General of Police, Northern Range.

*383 Q.—MR. D. R. ISAAC: Will the Hon. the Prime Minister be pleased to state—

(a) whether any Indian Christian was selected to the post of Sub-Inspector of Police for the last four years from the Kistna district; if not, why not;

(b) whether it is a fact that only sons and relatives of the Police officers are being selected for the said posts; if not, the principle on which the selection is generally made; and

(c) whether it is a fact that the Deputy Inspector-General of Police, Northern Range, who makes the final selection, did not make this year's selection according to the procedure hitherto followed, and did not call all the candidates of his range for interviews at the same place, and at the same time, but called for interviews on different dates at different places in his range?

THE HON. SRI C. RAJAGOPALACHARIAR:—"(a) Recruitment of Sub-Inspectors is made on a range basis and not on a district basis. Although four Indian Christians were recruited in the Northern Range during the past four years, none of them belonged to the Kistna district.

"(b) The answer is in the negative. The principle adopted is to select the best candidate available.

"(c) Owing to the exceptionally small number of vacancies in Northern Range this year, namely four, the Deputy Inspector-General of Police interviewed the candidates at different centres on different dates in order to save them unnecessary trouble and expense."

Assignment of cultivable waste lands in Chittoor to Harijans.

*384 Q.—SRI M. DORAIKANNU: Will the Hon. the Minister for Revenue be pleased to state—

(a) the extent of cultivable waste lands in the Chittoor district;

(b) how much of this extent has been set apart for assignment to the Harijans; and

(c) out of the total extent so set apart, how many acres have been assigned up to date?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—"(a) The extent of good arable land available for assignment in the Chittoor district is reported to be 18,777·71 acres.

"(b) & (c) According to the latest figures reported to Government the total extent of land reserved for assignment to the scheduled classes in the Chittoor district up to the end of 1937–38 was 16,587·42 acres and out of this an extent of 14,959·52 acres has been assigned."

SRI S. NAGAPPA:—"May I know, Sir, whether it is a fact that the Harijans to whom lands have already been assigned are compelled to leave them on account of the heavy penalty levied?"

SRI T. VISWANATHAM:—"The Government have no such information."

SRI S. NAGAPPA:—"Will the Government be pleased to call for the information, Sir?"

SRI T. VISWANATHAM:—"Yes, Sir."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Will the Government also take into consideration the question of assigning lands to Christians who have become converts from the Hindu community in view of the fact that their economic condition is also as bad as the economic condition of the Harijans?"

MR. SPEAKER:—"How is that a supplementary question to the main question?"

MAHBOOB ALI BAIG SAHIB BAHADUR:—"It is, Sir, because the term 'Harijans' includes Christians also who became converts from the Hindu community."

MR. SPEAKER:—"It is not a supplementary question."

Proposals, if any, for the assignment of the assessed waste lands in the Guntur district to the landless labourers and the educated unemployed.

* 385 *Q.*—SRI KONDA VENKATAPPAYYA: Will the Hon. the Minister for Revenue be pleased to state—

(a) the extent of the assessed unoccupied waste lands in the Tenali, Repalle and Bapatla taluks; and

(b) whether the Government will consider the desirability of making grants of small holdings out of those lands to the poor landless labourers and the educated unemployed?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—"(a) The information is not immediately available. Statistics of the extent of wet and dry lands available for assignment in each taluk of the Province are under compilation.

"(b) A scheme to give effect to Government's policy of assigning land to the landless poor is under consideration. The question of providing for the educated unemployed is also under consideration in this connexion."

Number of probationary deputy collectors appointed by direct recruitment on linguistic basis during the last quinquennium.

* 386 Q.—Sri KONDA VENKATAPPAYYA: Will the Hon. the Minister for Revenue be pleased to state—

(a) the number of candidates that applied for the appointment of probationary deputy collectors by direct recruitment during the last five years;

(b) how many of them were from Andhra and how many from other linguistic areas; and

(c) the number selected from each of those areas?

Sri T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—"(a) & (b) The Government have no information. The applications are received by the Madras Public Service Commission.

"(c) Nine candidates have been selected since 1933 by direct recruitment or by transfer from a subordinate service other than the Madras Revenue Subordinate Service. Of these four were at the time of their selection resident in Madras City, four in mufassal Tamil districts and one in Bangalore."

Land revenue remission on dry lands in East Godavari.

* 387 Q.—Sri KALA VENKATA RAO: Will the Hon. the Minister for Revenue be pleased to state—

(a) the actual percentage at which remission was granted to dry lands in East Godavari district during the last fasli; and

(b) the total amount of remission on dry lands in the East Godavari district during the same period?

Sri T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—"(a) It is presumed that the hon. Member refers to the Land Revenue concessions granted for fasli 1347. The actual percentages at which the assessment on dry lands in the East Godavari district was remitted in that fasli were $18\frac{3}{4}$ in the case of rates in the delta up to and including Rs. 2 per acre and $12\frac{1}{2}$ in the case of the remaining rates both in the delta and in the uplands (except in the case of the rate of 5 annas per acre in the uplands which had not been enhanced at the resettlement).

"(b) The Government have no separate figures for those dry lands."

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Amount realized under penal assessment in East Godavari.

* 388 *Q.*—Sri KALA VENKATA RAO: Will the Hon. the Minister for Revenue be pleased to state the amount levied during the last fasli as penal assessment in East Godavari on account of unauthorized cultivation or unauthorized breaches?

Sri T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—"The following figures are furnished:—

	RS.
(1) Enhanced water-cess on lands irregularly irrigated	33,699
(2) Charges levied for occupation (with or without application) of assessed and unassessed lands for which no pattas have been granted	14,162
(3) Charges levied for occupation of poramboke lands	11,938

Separate figures in respect of enhanced water-cess collected on lands irregularly irrigated by unauthorized breaches alone are not available."

Details regarding the financial position and commercial activity of the ports Point Calimere and Topputurai during the last five years.

* 389 *Q.*—Sri A. VEDARATNAM PILLAI: Will the Hon. the Minister for Public Works be pleased to place on the table—

(*a*) a statement of income and expenditure of the ports Point Calimere and Topputurai for the last five years; and

(*b*) a list of the cargoes that are being exported and imported through these two ports?

The Hon. Mr. YAKUB HASAN:—"(*a*) & (*b*) A statement [a] of income and expenditure and a list of exports and imports are laid on the table."

Area of the Kurnool district to be benefited by the Tungabhadra Project.

* 390 *Q.*—K. ABDUR RAHMAN KHAN SAHIB Bahadur: Will the Hon. the Minister for Public Works be pleased to state the taluks, with the number of acres in each, in the Kurnool district, which are likely to be benefited by the Tungabhadra Project?

The Hon. Mr. YAKUB HASAN:—"The latest scheme before the Government that has been worked out in detail is for

[a] Printed as Appendix I on pages 583–584 infra.

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a partial utilization of the Tungabhadra waters. This scheme provides for the irrigation of 65,000 acres in the Kurnool taluk."

SRI D. RAMALINGA REDDIYAR:—"Does the Tungabhadra scheme contemplate the generation of hydro-electric power, Sir?"

MR. SPEAKER:—"Does it arise out of this question? It is not an elucidation of the main question."

Proposal to hold the Divisional Irrigation Conferences at least once in every quarter.

* 391 *Q.*—SRI V. M. RAMASWAMI MUDALIYAR: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) how often in a year the Divisional Irrigation Conferences are held; and

(*b*) whether there is any proposal to regularize the proceedings and to hold the conference once at least in every quarter?

THE HON. MR. YAKUB HASAN:—"(*a*) It is presumed that the hon. Member is referring to the periodical conferences held by Executive Engineers to discuss matters connected with irrigation. The instructions in this regard are that Executive Engineers of all divisions should hold conferences with leading ryots, annually or more frequently if they think it expedient, in each taluk of the deltaic tracts and in each revenue division of the non-deltaic tracts.

"(*b*) It is not understood what is meant by the expression 'regularize the proceedings.' There is no proposal before the Government to alter the existing orders in the matter."

Repairs to the Uthyathur tank in Vellore taluk (Gudiyattam section).

* 392 *Q.*—SRI V. M. RAMASWAMI MUDALIYAR: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether it is a fact that the Public Works Department tank, viz., Uthyathur tank in Vellore taluk (Gudiyattam section) requires modifications and repairs so as to safeguard the interest of the ryots owning lands near the weirs;

(*b*) what the nature of the proposal is and what the estimate for the same is;

(*c*) whether it is a fact that a large contribution is demanded from the ryots, and if so, how much; and

(*d*) whether any representations in this matter have been made to the Executive Engineer, North Arcot, and the District Collector, by the ryots, and if so, what action has been taken on them?

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THE HON. MR. YAKUB HASAN:—"(a) The tank does not require repairs in order to safeguard irrigation interests under it.

"(b) The tank has two weirs—one on the left flank, the other on the right. The ryots requested the Executive Engineer to close the right flank weir, extend the left flank weir and excavate a surplus channel. The cost of the proposal was Rs. 2,500.

"(c) The ryots were requested to pay either the cost of land acquisition or half the cost of the work.

"(d) As stated in answer to clause (b) the Executive Engineer was approached in the matter, but as the ryots were not willing to contribute, the proposal was not approved by the Executive Engineer and the Collector. A defined surplus channel is unnecessary as the tank seldom fills and surpluses."

Payment of compensation to private owners for the trees cut down by the Electricity Department between Ambur and Pernambut in the North Arcot district.

* 393 *Q.*—SRI B. T. SESHADRIACHARIAR: Will the Hon. the Minister for Public Works be pleased to state—

(a) the date or dates on which the trees belonging to private people and standing underneath the electric transmission line from Ambur to Pernambut in North Arcot district were cut by the Government Electricity Department; and

(b) the date or dates on which the compensation was paid to the parties for such cut trees not handed over to them?

THE HON. MR. YAKUB HASAN:—"(a) The trees were cut in May and June 1938.

"(b) Compensation will be paid to the parties in the course of this month."

Protests against the introduction of prayer songs in schools under the management of local bodies.

* 394 *Q.*—H. S. HUSSAIN SAHIB BAHADUR: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether it is a fact that local bodies have introduced prayer songs to be sung in all schools under their management and if so, what those songs are and which local bodies have introduced them;

(b) whether any protests have been received in respect of the introduction of these songs and if so, from whom; and

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(c) whether the Government will consider the desirability of stopping the introduction of any prayer songs in schools by local bodies?

SRI C. J. VARKEY (Parliamentary Secretary) no behalf of the Hon. Dr. P. Subbarayan:—"(a) & (c) The introduction of religious prayer in schools under public management is subject to the provisions of rule 9 of the Madras Educational Rules which lays down among other conditions that no pupil shall be permitted to attend any form of religious instruction or observance without the written consent of the guardian or parent. The attention of local boards has been drawn to this rule. The Government have no information as to which local bodies have actually introduced prayer songs in their schools or as to what those songs are.

"(b) A representation has been received on the subject and the matter is under enquiry."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"May I know, Sir, whether the Government have issued any instructions that Bharati songs must be introduced in all schools?"

SRI C. J. VARKEY:—"It has already been stated on the floor of the House last time that no such orders have been issued."

Protests by the South Kanara District Board Elementary School Teachers' Associations against the imposition of a cut on salaries.

*395 Q.—H. S. HUSSAIN SAHIB BAHADUR: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether any protests have been received by the Government from the South Kanara District Board Elementary School Teachers' Associations in the matter of the cut recently imposed on their salaries by the District Board of South Kanara; and

(b) what action, if any, the Government propose to take in the matter?

SRI C. J. VARKEY (Parliamentary Secretary) on behalf of the the Hon. Dr. P. Subbarayan:—"(a) Representations have been received on the subject.

"(b) The cut in pay of teachers was necessitated by the large deficit in the Elementary Education Fund account of the district board for the current year. It is not possible to remove the cut unless the Board effects retrenchment so as to keep its expenditure within its income."

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Abolition of the Board Higher Elementary School at Kandili, North Arcot.

* 396 *Q.*—SRI B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether it is a fact that the President, District Board, North Arcot, ordered the abolition of the Board Higher Elementary School at Kandili, Tiruppattur taluk; and

(*b*) if the answer to (*a*) is in the affirmative, what the reasons are for such abolition?

SRI C. J. VARKEY (Parliamentary Secretary) on behalf of the Hon. Dr. P. Subbarayan:—" (*a*) & (*b*) The Government have no information."

SRI B. BHAKTHAVATHSALU NAYUDU:—" May I know, Sir, whether the Government will be pleased to call for information from the president, district board? "

SRI C. J. VARKEY:—" I do not think it is necessary because the president abolished the school on the recommendation of the district board and the district board must have sufficient reason to abolish the school."

SRI C. J. VARKEY:—" If it is brought to the notice of the know, Sir, whether this House is not entitled to have that information?

SRI C. J. VARKEY:—" If it is brought to the notice of the Government that some rule had been violated or some injustice had been committed, then, of course, the Government will be prepared to look into the matter."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—" It is not a question of rectifying an injustice. Interpellations are put for eliciting information. Might I ask, Sir, whether it is the policy of the Government to say that they are not going to call for information if the House desires information in any particular point? "

SRI C. J. VARKEY:—" The information asked for is with regard to the abolition of a school. There is no question of any further elucidation in the matter."

SRI V. M. RAMASWAMI MUDALIYAR:—" May I know, Sir, if it is within the competence of the district board to open a new school or close an existing one? "

SRI C. J. VARKEY:—" It is, Sir."

Alleged circular of the President, District Board, North Arcot, enjoining the staff to wear khaddar.

* 397 *Q.*—SRI B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Minister for Education and Legal Departments be pleased to state whether it is a fact that the President, District

Board, North Arcot, has issued orders to all the teachers of the board schools and other staff of the district board to wear only khaddar?

SRI C. J. VARKEY (Parliamentary Secretary) on behalf of the Hon. Dr. P. Subbarayan:—" The Government have no information."

Closure of the Board School at Manur, Tiruttani taluk, consequent on the admission of Harijan pupils.

* 398 *Q.*—SRI M. DORAIKANNU: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether the Board School at Manur, Tiruttani taluk, is closed owing to the admission of Harijan pupils into the schools; and

(*b*) if so, whether the same school will be opened at Rajapathmapuram (near Manur) where the caste Hindu pupils and Harijan pupils like to be co-educated?

SRI C. J. VARKEY (Parliamentary Secretary) on behalf of the Hon. Dr. P. Subbarayan:—" (*a*) & (*b*) The Government have no information. A report will be called for."

Value of khaddar, if any, purchased for hospital use during last year.

* 399 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) the value of cloth purchased last year for the use of hospitals under Government control; and

(*b*) how much of it was spent in the purchase of khaddar?

THE HON. DR. T. S. S. RAJAN:—" (*a*) & (*b*) The value of cloth purchased for use in Government medical institutions during 1937–38 was Rs. 1,05,584–3–8 of which Rs. 18–15–6 was spent in the purchase of khaddar."

Statement of receipts and expenditure of the Tirumalai-Tirupati Devasthanams.

* 400 *Q.*—SRI M. DORAIKANNU: Will the Hon. the Minister for Public Health be pleased to state the total income and expenditure of the Tirumalai-Tirupati Devasthanams during the years 1933 to 1938?

THE HON. DR. T. S. S. RAJAN:—" A statement [a] is furnished."

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[a] Printed as Appendix II on page 585 infra.

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Proposals for the abolition of the Hindu Religious Endowments Board.

* 401 *Q.*—Sri KONDA VENKATAPPAYYA: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) whether there is any proposal by the Government to abolish the Hindu Religious Endowments Board; and

(*b*) if so, when the proposal will take effect?

The Hon. Dr. T. S. S. RAJAN:—"(*a*) & (*b*) The proposal to repeal and re-enact the present Hindu Religious Endowments Act is under the consideration of the Government."

Sri G. KRISHNA RAO:—"Are the Government aware of the strong opinion in the country that this department should be administered by the Government as one of its own departments as it is being done in the Native States?"

The Hon. Dr. T. S. S. RAJAN:—"It does not arise out of this question."

Provision of an X-ray set for the Headquarters Hospital, Mangalore.

* 402 *Q.*—Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) whether the Government had decided to equip the Mangalore Headquarters Hospital with an X-ray set in 1935;

(*b*) whether the scheme was sanctioned and whether any amount was provided in the budget;

(*c*) whether the X-ray set was actually ordered and when it arrived, whether it was given to another district, as the Government did not take any steps to construct a separate building for it;

(*d*) whether any building has now been constructed;

(*e*) if not, whether any money has been sanctioned for it;

(*f*) if not, why not; and

(*g*) when the Mangalore hospital will get an X-ray plant?

The Hon. Dr. T. S. S. RAJAN:—"(*a*) to (*c*) The answers are in the affirmative.

"(*d*) & (*e*) The answers are in the negative.

"(*f*) The question of approving a revised and improved design for X-ray departments of Government hospitals has been under consideration.

"(*g*) The matter is under consideration."

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Investigation of a new source of water-supply to the Dindigul Municipality.

* 403 *Q.*—SRI K. KUPPUSWAMI AYYAR: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) whether the investigation of a new source of water-supply to the Dindigul Municipality by the construction of a dam and reservoir at Sithayankottai hills referred to in the Government Memorandum, dated 21st January 1938, Education and Public Health Department, has been completed and whether the estimate is ready; and

(*b*) whether provision will be made for the same in the next budget?

THE HON. DR. T. S. S. RAJAN:—" (*a*) The investigation has been completed. The report of the Sanitary Engineer on the investigation is under consideration of the Government.

" (*b*) The answer is in the negative. The scheme has not yet reached that stage."

Representation of Muslims on the boards constituted for the control of road traffic in the districts.

* 404 *Q.*—KHAN BAHADUR P. M. ATTAKOYA THANGAL SAHIB BAHADUR: Will the Hon. the Minister for Administration Reports and Public Information be pleased to state—

(*a*) how many non-officials have been appointed as members of the Road Traffic Boards in the various districts in this Presidency;

(*b*) how many of them are Muslims; and

(*c*) what the districts are in which there are Muslim members?

THE HON. SRI S. RAMANATHAN:—" (*a*) One non-official Member has been appointed to the Road Traffic Board of each of the districts in the Presidency.

" (*b*) One non-official Member is a Muslim.

" (*c*) The South Kanara district."

Protest against the proposed abolition of the Sub-Court at Chittoor and the District Munsif's Court at Sholinghur.

* 405 *Q.*—SRI M. DORAIKANNU: Will the Hon. the Minister for Administration Reports and Public Information be pleased to state—

(*a*) whether Government are contemplating to abolish the Sub-Court at Chittoor and the District Munsif's Court at Sholinghur;

(*b*) whether any representation or protest has been received by the Government in respect of the abolition of these courts; and

(*c*) what the result of the same is?

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THE HON. SRI S. RAMANATHAN :—" (a) & (b) The answer is in the affirmative.

" (c) The Government propose to adhere to their decision to abolish the Sub-Court, Chittoor.

" As regards the District Munsif's Court, Sholinghur, the Government propose to re-examine in 1939 the question whether the court should be abolished or not."

Extension of the term of office of the Official Receivers of Trichinopoly and Ramnad.

* 406 Q.—SRI B. VENKATACHALAM PILLAI: Will the Hon. the Minister for Administration Reports and Public Information be pleased to state—

(a) whether it is a fact that recently new appointments as Official Receivers were made in more than one district;

(b) whether the question of provincialising their service is still under consideration; and

(c) whether there are any special reasons for continuing the present Official Receivers of Trichinopoly and Ramnad, though their periods have expired long ago?

THE HON. SRI S. RAMANATHAN :—" (a) & (b) The answer is in the affirmative.

" (c) Official Receivers, Trichinopoly and Ramnad, are being continued pending the issue of orders on the provincialization scheme."

Abolition of the posts of nazirs in all civil courts.

* 407 Q.—SRI B. VENKATACHALAM PILLAI: Will the Hon. the Minister for Administration Reports and Public Information be pleased to state whether it is a fact that the Government are considering the advisability of abolishing the posts of nazirs (central nazirs as well as deputy nazirs) in all civil courts and directing the clerks in turn, to do the work of the nazir in each court?

THE HON. SRI S. RAMANATHAN :—" The answer is in the negative."

Proposals for the amendment of the Madras Civil Courts Act.

* 408 Q.—SRI B. VENKATACHALAM PILLAI: Will the Hon. the Minister for Administration Reports and Public Information be pleased to state whether the Government intend amending the Madras Civil Courts Act and if so, in what respects?

THE HON. SRI S. RAMANATHAN :—" The answer is in the negative."

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Delay in the construction of the Tiruvallam Bridge.

* 409 *Q.*—SRI B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) what the date is by which Messrs. Mackenzies, Ltd., originally undertook to complete the construction of the Tiruvallam Bridge;

(*b*) whether it is a fact that the contractor has failed to complete the work as per the agreement; and

(*c*) if so, what steps were taken against the contractor for failing to complete the work?

THE HON. SRI B. GOPALA REDDI:—" (*a*) Only the masonry work of the bridge was given on contract to Messrs. Mackenzies, Ltd. The original date fixed for completion was 31st March 1937.

" (*b*) For various reasons the work could not be completed by the date originally fixed and extension of time had to be given.

" (*c*) In view of the slow progress, the Government have advised the board that if the contractors delay the work further, the question of terminating the contract and arranging to have the work done departmentally or by some other agency should be considered."

MR. J. NUTTALL:—" Might I ask whether the district board entered into a subsequent agreement in April 1938 because the terms of the original agreement could not be carried out? "

THE HON. SRI B. GOPALA REDDI:—" Perhaps so, Sir."

MR. J. NUTTALL:—" Might I also ask, Sir, whether the work has proceeded since that date? "

THE HON. SRI B. GOPALA REDDI:—" I cannot say, Sir."

BASHEER AHMED SAYEED SAHIB BAHADUR:—" In reply to clause (*b*), the Government state that for various reasons the work could not be completed. Might I ask what the various reasons are that were responsible for the delay? "

THE HON. SRI B. GOPALA REDDI:—" Notice, Sir."

BASHEER AHMED SAYEED SAHIB BAHADUR:—" May I ask, Sir, whether it was due partly to the district board, partly due to the contractors and partly due to the Government? "

THE HON. SRI B. GOPALA REDDI:—" I do not think so, Sir."

MR. J. NUTTALL:—" Might I ask, Sir, whether the quality of the material used for the foundation was under dispute at any time? "

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THE HON. SRI GOPALA REDDI:—" Perhaps so, Sir."

MR. J. NUTTALL:—" Might I ask, Sir, whether an arbitrator was appointed by the Government and whether his report was in favour of the contractors? "

THE HON. SRI B. GOPALA REDDI:—" Notice, Sir."

MR. J. NUTTALL:—" Might I also ask whether a portion of the contract was cancelled owing to the land acquisition proceedings not having been completed? "

THE HON. SRI B. GOPALA REDDI:—" I cannot say, Sir."

MR. J. NUTTALL:—" Might I ask further whether it is not a fact that the contractors offered to waive their claim for compensation? "

THE HON. SRI B. GOPALA REDDI:—" Again I would have to ask for notice."

SRI V. M. RAMASWAMI MUDALIYAR:—" May I ask, Sir, whether it is not a fact that as a result of the delays, the contractors have gained more than they were entitled to under the agreement? "

THE HON. SRI B. GOPALA REDDI:—" I cannot say, Sir."

Arrest and conviction of Sri Muthuramalinga Thevar, M.L.A., in re: the Mahalakshmi Mills labour trouble.

* 410 *Q.*—SRI N. M. R. SUBBARAMAN: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether Sri Muthuramalinga Thevar, a Member of this House, was prosecuted, convicted and is undergoing a sentence of imprisonment in connexion with disturbance consequent on labour trouble in the Mahalakshmi Mills in Madura;

(*b*) whether the Government are aware that the dispute has been since amicably settled and all the men have gone back to work; and

(*c*) whether in view of the fact that in his statement to the Court, Sri Muthuramalinga Thevar has denied all responsibility for the improper methods adopted by the picketers and having regard to his assurance that he will not advise or encourage such action in the future and the fact that the situation in Madura is now normal, Government will be pleased to release Sri Thevar?

THE HON. SRI C. RAJAGOPALACHARIAR:—" (*a*) & (*b*) The answer to clauses (*a*) and (*b*) is in the affirmative.

" (*c*) The Government is aware of the circumstances referred to and appreciate the weight of the considerations suggested. In view of the settlement and in order to bring about good understanding and harmony, the Government have released all the prisoners who had been convicted and sentenced.

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In the case of Sri Muthuramalinga Tevar, the court did not accept his statement that he was not responsible for the improper and illegal methods adopted by the picketers. If he is not desirous of contesting this finding in appeal, and if the situation in Madura is normal as the hon. Member has stated, Government is prepared, in view of the written assurance given by him to the court, to consider the question of releasing him."

SRI P. R. K. SARMA:—"May I know, Sir, whether the Government would be pleased to withdraw the prosecution against comrade Jeevanandam in view of the circumstances and the facts of the case being on the same footing as that of Mr. Thevar?"

MR. SPEAKER:—"It does not arise out of this question."

Extent of damage and loss caused by the recent cyclone in the East Coast districts.

*411 *Q.*—SRI D. RAMALINGA REDDIYAR: Will the Hon. the Minister for Revenue be pleased to state whether the Government have received any reports from the respective District Collectors concerned as to the extent of damage or loss caused to person and property in the East Coast districts in the recent cyclone?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—"The Government have received reports from the Collectors of East Godavari, West Godavari and Kistna regarding the general effect of the cyclone in these districts and stating that considerable damage has been caused to property and that 68 lives are known to have been lost. Full estimates of the extent of the damage and loss caused in these districts cannot be framed until enquiries have been made all over the area affected."

Prevalence of famine conditions in the North Arcot and Chingleput districts.

*412 *Q.*—SRI D. RAMALINGA REDDIYAR: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether the Government are aware that the monsoons have failed in the districts of North Arcot and Chingleput;

(*b*) whether the Government have received any official reports about famine conditions prevailing in those districts; and

(*c*) when the Government propose to publish the report of the Famine Code Revision Committee appointed by the Government?

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SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—" (a) & (b) The Government are aware from the latest season reports that the seasonal conditions in the two districts are not encouraging. No special reports have, however, been received by the Government. They have now called for such reports.

" (c) The question is under the consideration of the Government."

SRI D. RAMALINGA REDDIYAR:—" May I know, Sir, whether relief operations would be started immediately by declaring that these areas are famine-stricken areas? "

SRI T. VISWANATHAM:—" I have just said that no special reports about famine conditions have been received by the Government but that they have called for such reports."

BASHEER AHMED SAYEED SAHIB BAHADUR:—" May I know, Sir, when the reports were called for and whether they have since been received? "

SRI T. VISWANATHAM:—" I cannot give the exact date when the reports were called for. They have not as yet been received."

BASHEER AHMED SAYEED SAHIB BAHADUR:—" May I know whether the Government will ask the Collectors to report specially as to whether famine conditions have not already set in? "

SRI T. VISWANATHAM:—" The Government know how to get the information which is required by the hon. Member and the hon. Member will certainly get it."

BASHEER AHMED SAYEED SAHIB BAHADUR:—" The Government know their duty. May I ask as to what steps they have already taken to relieve distress that is already felt in those districts? "

SRI T. VISWANATHAM:—" If distress is felt proper and suitable, relief measures will be taken."

BASHEER AHMED SAYEED SAHIB BAHADUR:—" May I know if the relief will be given after the distress or even before the distress? " (Laughter.)

SRI T. VISWANATHAM:—" I have not known how to give relief even before the distress set in."

SRI B. BHAKTHAVATHSALU NAYUDU:—Will the Government consider the possibility of postponing collections which fall due during January to February or March? "

SRI T. VISWANATHAM:—" I cannot make a promise just now."

BASHEER AHMED SAYEED SAHIB BAHADUR:—" May I ask whether instructions have not been issued by the beat of tom-tom to the people that they should pay the kist in time? "

SRI T. VISWANATHAM:—" I am not aware of any such tom-toms."

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SRI D. RAMALINGA REDDIYAR:—"Are the Government aware that there is an acute shortage of fodder in those districts?"

SRI T. VISWANATHAM:—"I have already said that the conditions are not encouraging and the Government will take every necessary step to give relief in time."

AN HON. MEMBER:—"May I know, Sir, if South Arcot is not in the same plight?"

SRI T. VISWANATHAM:—"It is not so bad as the North Arcot district, Sir."

BASHEER AHMED SAYEED SAHIB BAHADUR:—"May I know, Sir, whether the observation of the Parliamentary Secretary is based on any latest report and whether such a report will be placed on the table of the House?"

SRI T. VISWANATHAM:—"It is based on the latest season report which is at the disposal of the hon. Member."

Relief measures for the people affected by the recent cyclone in the Kistna, East and West Godavari districts.

* 413 Q.—SRI KALA VENKATA RAO: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether it is a fact that considerable havoc was done by the cyclone in the Kistna, West and East Godavari districts on 26th November 1938;

(b) whether the Collectors of the districts reported the extent of the damage done in their areas;

(c) whether the Government received representations from the public and members of this Assembly requesting immediate relief measures; and

(d) what action the Government propose to take to give immediate relief to the suffering?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—"(a) & (b) The attention of the hon. Member is invited to the answer to the starred question No. 411.

"(c) The answer is in the affirmative.

"(d) A sum of Rs. 10,000 has been sanctioned for urgent relief measures in the Kistna district. The other Collectors will no doubt apply for grants if necessary. In Kistna palmyra trees and leaves are being granted from Government lands for the rebuilding of houses and instructions have issued to village officers to see to the burying of the carcasses of animals and the cleansing of drinking-water

sources and to guard against epidemics. The district authorities in all the three districts have organized measures with the help of private charity to feed the destitute and to provide shelter for the homeless. Further detailed reports on the relief measures required are awaited."

SRI D. NARAYANA RAJU:—" May I know, Sir, whether the Collector of West Godavari has applied for any grant for immediate relief?" 5-3 p.m.

SRI T. VISWANATHAM:—" Yes, Sir. The Government have just received an application from the Collector of West Godavari."

SRI D. NARAYANA RAJU:—" May I know, Sir, how much money was required by the Collector of West Godavari?"

SRI T. VISWANATHAM:—" The Collector has roughly estimated for about Rs. 20,000."

* 414 *Q.*—Postponed.[a]

[*Note.*—**An asterisk (*) at the commencement of a speech indicates revision by the Member.**]

NON-OFFICIAL BUSINESS.

II.—BILLS.

(1) THE MAPPILLA MARUMAKKATTAYAM BILL (L.A. BILL NO. 8 OF 1937).

* KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—" Sir, I beg to present the Report[b] of the Select Committee on the Mappilla Marumakkattayam Bill (L.A. Bill No. 8 of 1937). The Bill[c] was introduced in this House in September 1937 and was published in the *Fort St. George Gazette* in English, Kannada and Malayalam. It was referred to the Select Committee in March 1938, and the Select Committee met on the 31st March 1938 and decided to circulate the Bill for eliciting the opinions of all persons interested in the Bill. Opinions were received from over 600 persons including leading Mappilla merchants, landholders, lawyers and others. Opinions were also received from the Collectors and the District Judges of South Kanara and Malabar, Judges of the High Court and the Members of the Board of Revenue. Just to show how the people received the Bill, I will read one or two sentences from the opinions received."

MR. SPEAKER:—" It is not necessary."

* KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—" The Committee met altogether four times in Madras.

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a Vide question No. 461-A in Legislative Assembly Proceedings dated 8th December 1938.

b Published in the *Fort St. George Gazette*, dated 11th October 1938.

c Published in the *Fort St. George Gazette* in English on the 12th October 1937, in Kannada on the 2nd November 1937 and in Malayalam on the 9th November 1937.

[Mahmud Schamnad Sahib Bahadur] [7th December 1938

It also met at Cannanore and examined about 50 witnesses. It went into the Bill and examined it thoroughly and as a result of the examination and also in the light of the opinions received and the evidence recorded, the Committee has submitted the Report just presented. The Bill, Sir, is only an enabling measure, in that it does not make it compulsory that every tarwad should be divided or that every member should take his share and separate himself from the tarwad. It only lays down that any member if he thinks that the ejaman or the karnavan has been mismanaging and that he has not been receiving proper attention and sufficient share of the income for maintenance, may claim, if he likes, to take his share and separate himself from the tarwad. This is what clause 13 says:

'Any individual member of a tarwad may claim to take his or her share of the properties of the tarwad over which the tarwad has power of disposal and separate from the tarwad.'

"The Bill also makes provision to ensure against any hasty partition by providing that a majority of the members of the tarwad may apply to the Collector of the district to register that tarwad as impartible. That is in clause 20 which says:

'(i) If within a year from the passing of this Act not less than two-thirds of the major members of a tarwad present a petition to the Collector of the district in such form and with such particulars as may be prescribed, he shall, after satisfying himself that not less than two-thirds of the major members of the tarwad consent and desire the registration of the tarwad as impartible, register the tarwad as impartible.

'(ii) On such registration the provisions of Chapter III shall not apply to such tarwad unless and until the registration is cancelled under section 21.'

"That is to say, the tarwad cannot be divided even if some of the members ask for partition, unless the Collector again cancels the registration on receipt of a similar petition from two-thirds of the major members of the tarwad.

"The Report of the Select Committee has already been published[a] in the *Fort St. George Gazette* and I believe that copies of the Bill as amended by the Select Committee are already in the hands of hon. Members of this House. So, I do not want to go into further details. Some minor changes have been made in this Bill by the Select Committee. Besides these and some verbal amendments that the Government now propose to make, one or two minor amendments have been found necessary because after the publication of the Bill as revised by the Select Committee, the people have found some ambiguity in construing clause 13. So they have suggested some amendments which have been put down in the agenda. I will refer to them in detail when we come to them.

"Sir, I move—

'*That the Bill as amended by the Select Committee be taken into consideration.*'"

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[a] Published in the *Fort St. George Gazette*, dated 11th October 1938.

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* KHAN BAHADUR P. M. ATTAKOYA THANGAL SAHIB BAHADUR :—" I second it, Sir."

The motion was put and carried and the Bill was taken into consideration.

Clause 2.

* THE HON. SRI S. RAMANATHAN :—" I beg to move, Sir—

' *That for sub-clause (a), the following may be substituted:—*

" *(a) ' Anandravan ' means any member of a tarwad or tavazhi, as the case may be, other than the karnavan.*" '

" This is only an alteration of the position of the words, ' other than the karnavan.' It is a purely verbal amendment I think the House will have no objection to accept it."

The amendment was put and carried.

* KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR :—" Sir, I move—

' *That in sub-clause (b), the words " if she happens to be the oldest member of the family " may be added at the end.*'

" This amendment is necessary, because the definition as it now stands may mean that there are some families in which only males are to become the managers, and some families in which only females are to become the managers. It is not so. There are only a few families in which the female can become the manager, and that too, only if she happens to be the oldest of all the members of the family, and not only of all the females. The clause says: ' Karnavan means the oldest major male member of a tarwad or tavazhi, as the case may be, in whom the right to management of its properties vests or in the absence of such a male member, the oldest major female member; or where by custom or family usage, the right to such management vests in the oldest major female member, such female member, it is only the oldest female member, if she happens to be the oldest member of the whole family, who will have the right to be the manager. The amendment makes it clear by adding, ' if she happens to be the oldest member of the family '."

* SRI B. BHAKTHAVATHSALU NAYUDU :—" I second it, Sir."

* THE HON. SRI S. RAMANATHAN :—" I am sorry, Sir, that I have to oppose this amendment. I do not understand what need there is for this amendment at all, because the right accrues to the ladies, only when they happen to be the oldest female members. If there are exceptional cases where the oldest female member has not got the right, my friend does not say what is to happen in such cases. At best the amendment will

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be redundant, because the clause clearly says: ' where by custom or family usage, the right to such management vests in the oldest *major female member, such female member.* Only in such cases does the right accrue to the oldest female member. To say again at the end of the clause ' if she happens to be the oldest member of the family ' is at best redundant and is unnecessary."

* KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR :—" It is only a matter of English; I have no objection if it is clear. But, I think it is not clear. It says: ' where by custom or family usage, the right to such management vests in the oldest major female member, such female member.' "

MR. SPEAKER :—" You are evidently prepared to withdraw your amendment."

* KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR :—" If it is clear, I have no objection."

MR. SPEAKER :—" Do you press for a vote? "

* KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR :—" It is a matter of English. The Prime Minister will be able to . . . "

The amendment was put and lost.

Clause 4.

* THE HON. SRI S. RAMANATHAN :—" I beg to move—

' *That in line* 1, *the article* " a " *occurring before the word* " *true* " *be omitted and in line* 2, *for the word* " *account* " *the word* " *accounts* " *be substituted.*'

" This is only a grammatical correction. I hope the House will accept it."

The amendment was put and carried.

Clause 5.

* THE HON. SRI S. RAMANATHAN :—" Sir, I beg to move—

' *That the following may be substituted for sub-clause* (2) :—

" (2) *If the inventory or accounts are not made available for inspection as provided for in sub-section* (1), *the Court of a District Munsif having jurisdiction over the place where the tarwad house is situated may, on application by any major anandravan, and after notice to the karnavan, pass an order causing the inventory or accounts to be produced in court and allowing the anandravan to inspect, or to take copies of or extracts from such inventory or accounts.*" '

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"This again is a purely verbal amendment and makes the intention clear. I hope it will be accepted by the House."

The amendment was put and carried.

Clause 7.

* THE HON. SRI S. RAMANATHAN:—"I beg to move— 3-4 p.m.

'*In line* 5, *before the word* "*charges*," insert *the words* "*and the.*"

'*In the same line*, for *the words* "*zakat or the*," substitute *the words* "*zakat and the.*"

'*In line* 8, *after the words* "*immovable property*," insert *the words* "*for the tarwad.*"'

"All these amendments are purely formal, except probably what I have stated in the middle, viz., 'zakat and the.' Here the intention obviously is to provide for zakat and also to provide for the other remedies. Therefore I think the House will accept the amendments."

The amendments were put and carried.

Clause 11.

* THE HON. SRI S. RAMANATHAN:—"I beg to move—

'*In the opening paragraph*, for *the words* "*before a civil court*," substitute *the words* "*in a civil court.*"'"

The amendment was put and carried.

Clause 13.

* KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"Sir, I beg to move—

'Add *at the end the words* "*if the tarwad stands unregistered or if no action is taken to get the tarwad registered as impartible under section* 20"';

and also add *the proviso*:

'*Provided that no member has any right to sell, mortgage or in any other way alienate his or her share nor has anybody else any right to attach or to bring to sale the share of any member before such share is actually partitioned and separated from the tarwad.*'

"These amendments are necessary. As regards the first part of the amendment, the High Court has pointed out, 'Provision should be made to make it clear that the liberty to separate is available only as long as a tarwad stands unregistered or whose registration has been cancelled.' So this first amendment has been suggested.

"The second part is a proviso, and it is necessary in order to prevent the precipitation of the disruption of a tarwad. Section 13 provides that any member may ask and get his share and live separately as he likes. But if it is allowed to sell or mortgage his or her share before partition is effected, it would be forcing the tarwad to partition and precipitate a disruption in the tarwad. Therefore I urge that this amendment is quite essential."

Sri B. Bhakthavathsalu Nayudu seconded the amendment.

* THE HON. SRI C. RAJAGOPALACHARIAR:—"May I ask the hon. Member whether this was considered in the Select Committee?"

* KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"After the Bill was published as amended by the Select Committee, several people met me and told me as well as the other hon. Members who have given notice of a similar amendment, that such an amendment is necessary."

THE HON. SRI C. RAJAGOPALACHARIAR:—"So, it was not considered?"

* KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"It was not considered at all."

* THE HON. SRI C. RAJAGOPALACHARIAR:—"Nor was it rejected?"

* KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"It never came up before the Select Committee."

* THE HON. SRI C. RAJAGOPALACHARIAR:—"We are dealing with a special kind of law, and this particular amendment has not been considered by the Select Committee. This is a very important matter also; it is not a trifle. It is parallel to the right of a member of a Hindu joint family to alienate his share before even a specific partition, and that right is sought to be taken away by this amendment. All that I can say is that the mover of the Bill should have brought this question before the Select Committee very specifically, and obtained the views of the various schools of thought in respect of that matter. It is very difficult for the Government to make up their mind on a matter of this kind, unless at least some other members who are interested in the subject-matter make the position clear."

* H. S. HUSSAIN SAHIB BAHADUR:—"In supporting the amendment moved by my friend, Mr. Schamnad, I say that this amendment to clause 13 of the Mappilla Marumakkattayam Bill is necessary for this reason. No doubt under the proposed legislation, a member of a Mappilla tarwad gets the right to partition and takes his share out of the family property and goes out of the family. But it is very necessary that the right of such a member

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in the family property before partition has actually taken place, will have to be determined, in view of the consequences of that right to partition that has been conterred on him. The right that such a member has is only with regard to his individual share, whatever might be the practice. That being so, if that right is not pre-determined, it is quite possible—and it might even happen in many cases to the utter ruin of some of the tarwads—that a creditor of a tarwad might bring pressure to bear upon an individual member who wants to separate from the tarwad and press him to sell his share or to mortgage his share even before he separates from the tarwad and takes away his share which is to be determined by metes and bounds on division. Of course, he will have a definite right in the entire tarwad property, but his share will have to be ascertained by metes and bounds. Therefore there is the danger of creating many complications on account of the proposed legislation in the matter of partition of Mappilla tarwads.

" In order to safeguard such a situation arising and such a complication arising and giving rise to confusion, it is necessary, in my opinion, that such a proviso should be added to clause 13, so that matters might not be precipitated. When any member of a tarwad, after he gets his share, goes out of the family, it will be then open to his creditor to bring his share of the properties to sale or to press for a sale, if on the security of such a share a loan is due to him. Further it will also be open to the member himself to mortgage or to sell his specific share obtained on division by metes and bounds, if he so desires. All these cases should not be allowed to arise unless and until partition takes place by metes and bounds. Therefore I strongly support the amendment."

* SRI K. R. KARANT:—" As one who took some part in the Select Committee of this Bill, I beg to submit that it would be bad law if we allow this amendment. It would be against the law obtaining under the Malabar Marumakkattayam Act of which this is more or less a copy, as well as the general Hindu Law whereunder it is open to a member to make up his mind to claim partition or not. But when once you make up your mind to claim partition, it will introduce more complications, if at every stage you allow the option not to press for partition because creditors would take hold of your property.

" In this case, under clause 13, nobody compels any individual member to claim his share. He may claim his individual share of the tarwad. But supposing under this clause he wants to separate and live separately—there may be a preliminary decree for partition or a suit pending in court—this amendment says that it is only after a final partition by metes and bounds, not even a decree for partition, that there ought to be real partition.

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Under clause 14 you will see that perfect liberty is given to any two or more members of a tarwad to continue to be a joint tarwad. Thus enough option is given here for the members so that at the earliest opportunity they can say, 'We do not want to separate.' Similarly, under section 13 a man can make up his mind whether to separate or not; but having made it, I do not think it is right to get round creditors in this way by an amendment of this sort. It would introduce more complications than my hon. Friend foresees."

* THE HON. SRI C. RAJAGOPALACHARIAR:—"It would be of great assistance if anyone versed in the Malabar Marumakkattayam Muslim Law would come forward and enlighten us with his view."

MR. SPEAKER:—"Evidently, the Government want to oppose the motion. At any rate as I understand it, the Government are unable to support the amendment." (Laughter.)

* THE HON. SRI C. RAJAGOPALACHARIAR:—"I was saying that because there was not even a seconder . . . (Interruption). It is true that Mr. Bhakthavathsalu Nayudu has seconded, but it will take a long time before he adopts this law. (Laughter.)

"The trouble is this as Mr. Karant has rightly pointed out, he having served on the Committee. I do not know exactly the general principles on which the Committee had decided to proceed. So what Mr. Karant has said represents at least what the members of the Committee had in their mind, though they may not have put it in the Report. The position is this: That we are creating a very peculiarly exceptional position by the proposed amendment. That normal right under the Hindu Law of an individual member of an undivided family, sufficient to make an alienation, is sought to be set aside by this amendment. At the same time, the Hindu Law practice of partition is sought to be brought in. According to the amendment, while a member of an undivided tarwad should have the right to claim partition, he has no legal rights which are alienable, until that partition is actually effected. This will not only be very peculiar, but will be altogether a new thing in Malabar, because, under the Hindu Marumakkattayam Law, this right has been recognized. Do the Muslims want this to have varied in Malabar? I thought one or two members belonging to that particular school of law might well have thrown light on the matter. Though they are here, they don't seem to be willing to offer any opinion in the matter. That is our difficulty. The Government would rather like to have some kind of unanimity in the Law and not many dissimilar varieties of this kind. That is the position. I have made these observations so that the mover might withdraw his amendment and not put us in this embarrassing position, without giving sufficient materials to extricate us from that position."

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* KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR :—" Sir, we are not taking away any right of any member; we are on the other hand giving him the right to claim a share, but a restricted right, in that we are not giving him a right to claim a share and also to alienate his share before he actually takes it. In the Madras Marumakkattayam Act, no mention is made about this, and I understand that they have found in practice that there is need for a provision of this kind." 4 p.m.

* THE HON. SRI C. RAJAGOPALACHARIAR :—" May I ask a question? How is a member of a tarwad who wants to file a suit to get the money needed for the stamp paper and to pay the vakil's fees? " (Laughter.)

* KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR :—" Sir, there is difficulty in the case of members of the families governed by the Mitakshara system of law also. There it is found that before a member claims his share, he pledges it with the money-lender, and the money-lender, in the course of a few years, eats up the whole share. To avoid this, we want to give the member of the tarwad a restricted right, so that his property may not be lost before he gets it even."

MR. SPEAKER :—" Then the hon. Mover is not in favour of his Bill." (Laughter.)

* THE HON. SRI C. RAJAGOPALACHARIAR :—" It comes to that; I agree with you, Sir. No one will be gladder than myself if the hon. Mover withdraws his Bill." (Laughter.)

* THE HON. SRI S. RAMANATHAN :—" Sir, there are two parts in the amendment proposed. The second part reads as follows :—' Provided that no member has any right to sell, mortgage or in any other way alienate his or her share . . . before such share is actually partitioned and separated from the tarwad.' This cannot be accepted. We can agree to the first part of the amendment being incorporated in the clause relating to registration."

* THE HON. SRI C. RAJAGOPALACHARIAR :—" Even with regard to the first part, I suggest, it cannot be accepted under clause 13, as there will be any amount of doubt as to what exactly is meant by action under clause 13."

* KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR :—" What has been pointed out is that, under clause 13, provision should be made to make it clear that no member could alienate his share before such share is actually partitioned and separated from the tarwad."

* THE HON. SRI C. RAJAGOPALACHARIAR :—" Clause 20 says that the whole of Chapter III shall not apply to registration. Therefore, in clause 13, you ought not to refer back to it and

say that during the pendency of any partition proceedings, no member shall be allowed to take his share or alienate it until the partition is effected and the property separated from the tarwad."

The amendment was by leave withdrawn.

Clause 14.

* KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR :—" I do not propose to move the amendment [a]."

Clause 16.

* THE HON. SRI S. RAMANATHAN :—" I beg to move, Sir—

' *that in line* 9, for *the word* " *house*," substitute *the words* " *tarwad house*," *and in line* 3 *of the proviso*, for *the word* " *it*," substitute *the words* " *such house, site or sites and land*." '

" This amendment is intended to carry out the intention of the hon. Mover and it is merely a verbal alteration. I hope it will be accepted by the House."

The amendments were put and carried.

Clause 19.

* THE HON. SRI S. RAMANATHAN :—" Mr. Speaker, I beg to move—

' *that in line* 2, *before the word* " *stanom*," insert *the words* " *to the*." '

" This is merely a verbal amendment."

The amendment was put and carried.

MR. SPEAKER :—" Clause 20 will be taken up later."

Clause 22.

* THE HON. SRI S. RAMANATHAN :—" I beg to move, Sir—

' *that in sub-clause* (*c*), place *the words*, " *and any proceeding before the Collector under this chapter shall be deemed to be a judicial proceeding* " *as a separate paragraph*.'

" This is a formal amendment, and I hope the House will accept it."

* KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR :—" I agree to the amendment, Sir."

The amendment was put and carried.

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[a] In line 1, *for* the words, " Two or more " *substitute* the words " Some or all the."

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Clause 26.

* THE HON. SRI S. RAMANATHAN :—" Mr. Speaker, Sir, I beg to move—

' *that in line* 1, for *the words* " *Local Government* " substitute *the words* " *Provincial Government.*" '

" This again is a mere verbal amendment and I hope the House will accept it."

The amendment was put and carried.

Clause 20.

* THE HON. SRI C. RAJAGOPALACHARIAR :—" I am suggesting, Sir, that in order to bring out the change that the hon. Mover wanted by his amendment to clause 13, that during the pendency of the proceedings for registration, there should be no partition, the best form would be to have a sub-clause (iii) in clause 20 saying that during the pendency of a petition under sub-clause (i) of this clause, all proceedings in court under Chapter III, if any, shall be stayed. So I move the following :—

' *In sub-clauses* (*i*) *and* (*ii*) *of clause* 20 *change the numerals* (*i*) *and* (*ii*) *as* (1) *and* (2) *respectively and* add *the following as new sub-clause* (3) :—

" (3) *During the pendency of a petition under sub-section* (1) *of this section all proceedings in court, if any, under Chapter III shall be stayed.*" ' "

The amendment was put and carried.

Clause 2 as amended, clause 3, clause 4 as amended, clause 5 as amended, clause 6, clause 7 as amended, clauses 8 to 10, clause 11 as amended, clauses 12 to 15, clause 16 as amended, clauses 17 and 18, clause 19 as amended, clause 20 as amended, clause 21, clause 22 as amended, clauses 23 to 25, clause 26 as amended and clause 27 were put and carried.

Clause 1.

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR :—" I beg to move—

' *In line* 2 *of sub-clause* (*a*) *of clause* (1) for *the figure* " 193 " substitute *the figure* " 1938 ".' "

The amendment was duly seconded.

The amendment was put and carried.

Clause 1 as amended and the preamble were put and carried.

* KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR :—" Sir, I move—

' *that the Bill be passed into law.*' "

The motion was duly seconded.

The motion was put and carried and the Bill was passed into law.

THE MADRAS MUSLIM WAKF BILL (L.A. BILL NO. 6 OF 1938).

BASHEER AHMED SAYEED SAHIB BAHADUR:—" Mr. Speaker, in the last session, this Bill was referred to the public for eliciting their opinion, at the instance of the Government. Since then several opinions have been obtained and all of them have been printed and circulated; and I believe that the opinions so printed and circulated are in the hands of hon. Members of this House. I do not think, Sir, I need dilate on the principles of this Bill. They are already public property and I believe the Government have already considered the various provisions of this Bill.

" The Bill aims in the main, Sir, at the regulation, control and administration of Muslim charitable and religious endowments called wakfs. For a long time Muslim religious and charitable trusts have been in a neglected condition; and it is not a day too soon to have a measure which will put these charitable endowments and religious institutious on a proper basis. It is with the view to formulate a machinery for the proper control of these wakfs that this Bill has been introduced. The main objects of the Bill are only a few. In the first place, the Bill seeks to establish a Religious Endowments Board with a certain number of Commissioners with certain salaries to be prescribed by and by. Then, Sir, it also contemplates the appointment of Circle Committees in the various districts, and it consequently intends to employ the necessary staff for carrying out those duties and functions assigned to the Board and the Circle Committees. It is sought to establish a Wakf Fund and the clauses of the Bill would show in detail how the Wakf Fund is to be constituted, and the necessary funds required for the administration of these wakfs and the Boards to be obtained.

" With regard to the appointment of mutawallis, provisions have been made to secure that as far as possible, wherever mutawallis are discharging their duties properly they need not be disturbed. Even hereditary trustees are taken note of, and wherever mutawallis are entitled to have hereditary status, sufficient precautions have been taken to preserve and safeguard them and to keep them intact as far as possible. There are also provisions for suits and petitions before the Board and also provisions for fees prescribing the amounts necessary for filing petitions before the Board; and these fees will also form part of the fund which is to be constituted under the Bill. On the whole, Sir, the scheme is that there should be some machinery which could be vested with powers to set in order the state of affairs that now prevails among Muslim wakfs. It is with that view that this Bill has been introduced, and I move that the Bill be referred to a Select Committee. I have given the names of the members to be typed

and I shall be getting it very shortly; and I shall give the list of names as soon as I get it. Sir, I move—

' *that the Bill be referred to a Select Committee.*' "

MR. SPEAKER:—" Only if the Government accept your motion, should you read the names of the members of the Select Committee."

* SRI K. R. KARANT:—" I second it." (Laughter.)

MR. SPEAKER:—" Is there no Muslim member to second the motion? " (Laughter.) It is getting over the technical difficulty. If there is no Muslim member on the floor of the House to second the motion, what is the good of your motion? You have to consider the position. Under these circumstances, the hon. Mover may withdraw his motion. If there is no support in the House for the motion (hear, hear and cheers) . . ." 4-15 p.m.

MRS. YAKUB HASAN:—" I second it."

MR. SPEAKER:—" Is the Hon. Minister going to speak on this motion? "

THE HON. T. S. S. RAJAN:—" No."

M. AHMED BADSHA SAHIB BAHADUR:—" I move that further action . . ."

MR. SPEAKER:—" Throw it out. If you throw out the motion, it is finished. When the House is not in a mood . . ."

M. AHMED BADSHA SAHIB BAHADUR:—" It is not a question of being in a mood. It is a matter in which the House has got a radical difference of opinion as to the principles involved in the Bill. Of course, the Muslim members may consider bringing out another Bill. Therefore, I suggest that it might be adjourned."

MR. SPEAKER:—" Not in this session. After some time and after proper consideration, it will be practicable. Now, you oppose the motion."

M. AHMED BADSHA SAHIB BAHADUR:—" Then I oppose the motion, Sir."

BASHEER AHMED SAYEED SAHIB BAHADUR:—" I have not heard any argument."

MR. SPEAKER:—" The argument is that there is no support. They think it is not worth while wasting the time of the House."

BASHEER AHMED SAYEED SAHIB BAHADUR:—" He says there is no opinion in favour of it. The books speak to the contrary. That is a different matter. I will reply."

MR. SPEAKER:—" Reply? There is no argument to reply to. I will put the motion to the House."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" Mr. Speaker, I just want to say a few words. I think I have to make my position clear. Sir, when the Bill was first considered in the

earlier stages, some of us who spoke on that Bill stated very clearly that there is need for such a legislation. But at the same time we wanted that the question should be referred to the public for getting opinion and the Government have accordingly referred this Bill to a very large number of people and leading Mussalmans who have given their opinion. Some of us have not had the time to look into the opinions and a few of the opinions that we have to-day are of such a nature as to alter the very fundamental principles on which the Bill is based. Although we are all agreeable to such a legislation being passed at a very early date, we do not think we will be able to alter the Bill to such an extent in the Select Committee as to make it acceptable to the majority of the Muslim public. Therefore, I propose that further consideration of the Bill be adjourned to a later date, so that some of us may meet together and have the help of the Government at a conference where all of us could sit together and bring forward a Bill which will be acceptable to us, and which will be a practicable legislation."

A VOICE:—" Sir, let the Government speak."

MR. SPEAKER:—" The Government do not want to speak. Am I to compel the Government to speak? I will allow Mr. Basheer Ahmed to speak if he wants to say a word."

BASHEER AHMED SAYEED SAHIB BAHADUR:—" As a legislator, I do not mind what happens to the fate of this piece of legislation in this House. As members representing certain constituencies and certain opinions, we have to do a certain duty. With that consciousness I want to say a few words. Only the other day, when the Government wanted time to consider and study the various aspects and find out whether the public are for the Bill or not, the Bill was referred for eliciting public opinion. Three months have elapsed since then and a large volume of opinion, let me assert on the floor of this House, is now in favour of the Bill. I am not unaware of the few opinions which have made certain suggestions and the opinions which say that this Bill is not a proper Bill. I challenge anybody to state . . ."

MR. SPEAKER:—" I think it is going far beyond the pale of a statement at this stage. You could be very brief instead of making such challenges."

BASHEER AHMED SAYEED SAHIB BAHADUR:—" If the word ' challenge ' is not pleasant, I shall not press it. I say, in all humility, that the largest volume of opinion, say 80:20, is in favour of the present Bill. No argument has been advanced why this Bill should not be pressed forward and proceeded with. The only thing seems to be that some members of the House, about nine, consider that there is need for time to consider. On the other hand, I know all the differences and I know that opinion has been in favour of the Bill and that people have been

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waiting for this legislation all these days. I want the Bill to be referred to the Select Committee and that the Select Committee should sit in judgment over it, not only over the Bill as a whole, but over all the clauses of it. Government will have their say, the Opposition will have its say and the others also will have their say. At this stage, to come forward and say that there should be another Bill, is something which I am unable to understand.

"One thing I have to state is that the Hon. Minister for Public Health is considering the introduction of a Bill for the regulation and better administration of the Hindu religious endowments. He does not for the moment consider it necessary to have a Bill for the better administration and control of Muslim wakfs. Probably his idea is to make an experiment with the Hindu religious endowments and then with the Muslim religious endowments. The state of Muslim wakfs is not such as to endure such a long delay. Already 60 to 70 per cent of the wakfs have disappeared. I mean no exaggeration when I say that they have already disappeared. If time is to be taken for better administration and control, woe unto the community; there will be nothing left for regulation or administration. I would, therefore, appeal in all humility to my friends to allow this Bill to go forward. If they think another Bill is to be substituted, the Select Committee may alter it to the extent to which it may be desirable to effectuate or achieve the purpose of the Bill. Otherwise, it will be futile. There has been heated controversy throughout the Presidency and the public has been aware of the object and scope of the Bill. It will be a great disappointment to the community if it were to be said that this Bill is not going to be proceeded with, and that some other measure is to take its place. It will be unwise and undesirable. I do not desire that any proposition should be moved to have further consideration being adjourned or that my motion should be adjourned to another date."

MR. SPEAKER:—"Do the Government propose to say anything?"

* THE HON. DR. T. S. S. RAJAN:—"It is a fact I told the hon. Member, Mr. Basheer Ahmed, that the Government are at present engaged in recasting the Hindu Religious Endowments Act. The Government have found that the Hindu Religious Endowments Act, as it is being worked to-day, is not satisfactory and they have found it necessary to add to or recast it drastically, so that it may be made efficient for the purpose for which it was designed. This Bill is practically based upon the old Act which has been found deficient. Therefore, if we go into this Bill, we will be going into a Bill which is deficient already, and it will be an unsatisfactory one. The Government cannot, therefore, accept a proposition of that sort. That is why I told Mr. Basheer that it could be taken up later. It is true that a large volume of public opinion has been gathered by circulation. The opinion has been

in no sense unanimous. There has been difference of opinion and some express themselves openly against the Bill. Some have not gone into the financial implications of the Bill; some have said that some action against the misuse of wakfs is necessary. But as the law stands to-day, there is so much that can be done in the civil courts by way of framing schemes. It is not as if there is no remedy. Action could be taken under the existing Act. The thing that we have got to think of is this. It has got financial considerations. As wakfs stand, the Government are afraid that we will not get enough funds from the taxation that is proposed to be levied under this Act on the wakfs. These are so poor, and unless Government go into financial commitments, it will not be possible to accept it. The question of finance has not been examined thoroughly. Under these circumstances, I have no objection to adjourn further consideration and take up the question a little later. That is what I would like to do to-day. Without these data, it will be impossible to produce a satisfactory Act. Personally I would ask the Mover to consider the position taken up by the Government. If the Hindu Religious Endowments Act is properly recast and the difficulty removed, it will be a good thing to follow, because you have the experience of twelve years behind the proposed Bill. And really this is a very defective thing that has been brought forward. That is why I cannot agree to this matter being referred to a Select Committee at this stage."

4-30 p.m.

Mahboob Ali Baig Sahib Bahadur rose.

MR. SPEAKER:—" I think, after the Mover's reply and the Hon. Minister's statement, it will be thoroughly irregular for any hon. Member to speak."

* MAHBOOB ALI BAIG SAHIB BAHADUR:—" I rose before you asked the Hon. Minister to reply, Sir."

MR. SPEAKER:—" Even if it is so, at that stage also, it is irregular. It is only as a special case I allowed the Mover to reply."

* MAHBOOB ALI BAIG SAHIB BAHADUR:—" The reply by the Mover can be allowed only after the Hon. the Minister in charge has spoken."

MR. SPEAKER:—" Not necessarily; the Government can speak at any stage.

" I shall put the motion of Mr. Basheer Ahmed to the vote of the House. Or, does the hon. Member withdraw his motion?"

BASHEER AHMED SAYEED SAHIB BAHADUR:—" Do you expect me to make make a statement, Sir?"

MR. SPEAKER:—" No statement. (Laughter.) I can permit only one statement, and that is, whether the hon. Member withdraws his motion or wants that it should be put to the House."

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BASHEER AHMED SAYEED SAHIB BAHADUR:—"Sir, all that the Hon. Minister has said as regards the action to be taken at the Select Committee . . ."

MR. SPEAKER:—"Is the hon. Member withdrawing his motion?" (Laughter.)

BASHEER AHMED SAYEED SAHIB BAHADUR:—"I am sorry, Sir, that when I am not convinced by the reply of the Hon. Minister, I cannot withdraw my motion."

The motion that the Madras Muslim Wakf Bill (L.A. Bill No. 6 of 1938) be referred to a Select Committee was put and declared lost.

BASHEER AHMED SAYEED SAHIB BAHADUR:—"Ayes, Sir." (Laughter.)

MR. SPEAKER:—"There is only one 'Aye'!"

(3) A BILL TO PREVENT THE DEDICATION OF WOMEN TO THE HINDU DEITIES, IDOLS, OBJECTS OF WORSHIP, TEMPLES AND RELIGIOUS INSTITUTIONS IN THE PROVINCE OF MADRAS.

* SRIMATHI G. AMMANNA RAJA:—"Mr. Speaker, I move for leave to introduce a Bill to prevent the dedication of women to Hindu deities, idols, objects of worship, temples and religious institutions in the Province of Madras."

MRS. RUKMINI LAKSHMIPATHI:—"I second it."

The motion was put and carried and leave was granted.

* *SRIMATHI G. AMMANNA RAJA:—"I introduce the Bill,* Sir."

(4) A BILL TO AMEND THE MADRAS LOCAL BOARDS ACT, 1920.

BASHEER AHMED SAYEED SAHIB BAHADUR:—"Sir, I move for leave to introduce a Bill to amend the Madras Local Boards Act, 1920.

"May I make a statement, Sir?"

MR. SPEAKER:—"Nobody is opposing it. No statement is therefore necessary."

* THE HON. SRI B. GOPALA REDDI:—"I object to it, Sir." (Laughter.)

MR. SPEAKER:—"Then I would permit the Mover to make a brief statement."

BASHEER AHMED SAYEED SAHIB BAHADUR:—"I am sorry that the Hon. Minister is opposing my Bill. I am probably right in thinking that he is opposing it because I have not adduced any reasons in support of it. I have added to my Bill a brief Statement of Objects and Reasons. I have submitted that

to the Legislative Assembly office, and I should think that in the ordinary course, it goes to the Hon. Minister who is concerned with this Bill. Over and above that, I only wish to make a few observations and then request leave of the House to introduce the Bill.

"I wish to state at the outset that I do not in this Bill seek to have a separate electorate for the Muslim minority community. That is not the object of my Bill. Hon. Members of this House are aware, Sir, that there has been a lot of discontent in the country among the Muslim community on account of the smallness of representation given to them in the local boards and municipal councils. Time and again demands have been made, interpellations have been put and agitation has been carried on in regard to this matter by the Muslim members of the Legislature. It is a matter of daily occurrence here for the Muslim members to get up and ask for information as to the exact position of the Muslim community in the matter of representation in the local boards, municipal councils and panchayat boards. That, to some extent, does not seem to be very pleasant and smacks of communalism."

MR. SPEAKER:—"I am afraid the hon. Member is making a big speech. It is only an explanatory statement that can be permitted at this stage."

BASHEER AHMED SAYEED SAHIB BAHADUR:—"I have to state the reasons why I have sought to introduce this Bill. One of those reasons is the need for removing this constant unpleasantness and for clearing the atmosphere created by the constant dubbing of one community as communalist and another section of the public claiming that it is always nationalist. With a view to prevent that kind of atmospbere prevailing, I have introduced this Bill to this effect that a certain proportion of the seats shall be reserved for the Muslim minority in all local bodies. The proportion I have fixed is 14·5 per cent wherever the strength of the community in any particular area is less than that proportion. But wherever that proportion is 14·5 per cent or more, I do not want any reservation unless the Government say that there should be reservation there as well. In the latter case I want that the representation shall be on the population basis. Wherever the Muslim community is over and above 14·5 per cent of the total population in a district, it shall have its strength according to its proportion to the population; but wherever it is less than 14·5 *per cent*, its *representation* shall be 14·5 per cent but no more. This Bill only gives added percentage of representation on the district boards. I do not think, Sir, that the present Government grudge to give a few more seats to the Muslim community. It has been their principle always to take that community with them and create a sense of satisfaction in the minds of that community. I appeal to th majority community through you, Sir,

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..nd ask them to create greater and greater confidence by making these reservations. I ask, Sir, the Government to examine the provisions of this Bill, have it discussed by the public and by the Select Committee; and then, if they come to the decision that it is not in the interests of the country as a whole or that it is not in the interest of the harmonious working of the communities, it will be open to them to reject it. I only seek an opportunity for the consideration of the Bill. That being the case I request the Government not to oppose it, but to allow it to go forward and be introduced and published."

THE HON. SRI B. GOPALA REDDI :—" Has it been seconded, Sir? "

MR. SPEAKER :—" I think the motion was seconded."

BASHEER AHMED SAYEED SAHIB BAHADUR :—" I have only asked for leave to introduce my Bill and even that is being objected to. I do not need any seconder for this."

* THE HON. SRI B. GOPALA REDDI :—" Sir, I oppose this Bill because it contains some incorrect statements also. The hon. Mover has stated that in all district boards, wherever the Muslims are in a minority or are less than 14·5 per cent of the population, they should be given that percentage and that wherever they are above 14·5 per cent, they should be given representation according to their population. He says in his speech that only in a few district boards the Muslims will get weightage under his proposal. But he forgets the figures furnished by me a little while ago. Sir, only in Malabar the Muslims are above 14·5 per cent and in that district alone they would be getting seats reserved according to their population, but in the remaining 23 districts where they are less than 14·5 per cent they would be getting 14·5 per cent of the seats. In other words, the usual number of members for most of the boards being 52, in a house of 52 members, according to this calculation, the Muslims will be geting 7·54 seats or 8 seats in the remaining 23 districts.

" Let me examine the percentage in the various districts."

MR. SPEAKER :—" Such examination of details is unnecessary at this stage."

* THE HON. SRI B. GOPALA REDDI :—" In the district of Vizagapatam the Muslim population is only ·8 per cent of the total population."

MR. SPEAKER :—" Is the Hon. Minister going to take up the time of the House with the examination of these percentages district by district? I do not think it is permissible."

* THE HON. SRI B. GOPALA REDDI :—" I will take only Vizagapatam, Sir. As I said the Muslim population of Vizagapatam district is only ·8 per cent. According to Mr. Basheer

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Ahmed, the Muslims of Vizagapatam will be entitled to eight seats out of 52 seats on the Vizagapatam District Board."

BASHEER AHMED SAYEED SAHIB BAHADUR:—" It is not wrong Sir."

* THE HON. SRI B. GOPALA REDDI:—" There are other districts also where the Muslims are in a small minority, and according to the hon. Mover we would have to leave eight seats for the Muslims in those district boards also. If, for instance, in Vizagapatam, we give the Muslims eight seats, the weightage will be 1,000 per cent. One can understand the hon. Member asking for double weightage. But what is this 1,000 per cent weightage to one community? Sir, there are Harijans in all the districts. If we examine the figures of representation, in none of the 24 districts are they given representation according to their population. In the district of South Arcot, they are 29·1 per cent, but they have got only 9·6 per cent representation. Sir, if we give this much weightage to the Muslims, will not the 30 Harijan members of the House to-morrow plead for representation at least according to population, if not weightage? Will it not lead to a great many anomalies in the working of the Local Boards Act if we agree to the proposal of my hon. Friend? For these reasons, Sir, I am unable to agree to the provisions of the Bill moved by my hon. Friend Mr. Basheer Ahmed. I oppose the Bill."

MR. SPEAKER:—" I now put the motion . . ."

Abdul Hameed Khan Sahib Bahadur rose.

MR. SPEAKER:—" I suppose the hon. Member knows the rule that at this stage no Member should be permitted to speak?"

ABDUL HAMEED KHAN SAHIB BAHADUR:—" I am prepared for it, Sir."

MR. SPEAKER:—" Rule 72 says:

'If a motion for leave to introduce a Bill is opposed, the Speaker, after permitting, if he thinks fit, . . .'

" Even that is left to his discretion, because it is a waste of the time of the House—

'a brief explanatory statement from the member who moves and from a member who opposes the motion, may without further debate, put the question thereon.'

So, no debate is permissible upon this question."

The motion was then put and declared lost.

BASHEER AHMED SAYEED SAHIB BAHADUR:—" May I ask for a poll, Sir?"

MR. SPEAKER:—" No. There was not even a single aye." (Laughter.)

(5) A BILL TO PREVENT THE DEDICATION OF WOMEN TO THE HINDU DEITIES, IDOLS, OBJECTS OF WORSHIP, TEMPLES AND RELIGIOUS INSTITUTIONS IN THE PROVINCE OF MADRAS.

Dr. N. Lakshmi Devi's motion for leave to introduce her Bill was not moved as the member was absent.

III.—RESOLUTIONS.

(1) FACILITIES FOR MILITARY TRAINING TO ALL COLLEGE STUDENTS AND CIVILIANS.

* SRI V. M. RAMASWAMI MUDALIYAR:—" Mr. Speaker, I beg to move the resolution which stands in my name and which reads as follows:— 4-45 p.m.

> ' *This Assembly recommends to the Government that it is necessary and desirable that immediate steps be taken to provide facilities for military training to all college students and other civilian population desirous of undergoing such training.*'

" Sir, I do not think that the House will be taken by surprise by a resolution of this nature. I beg to remind the House, that it has committed itself to the substance of a similar resolution, but in a somewhat different form, when it gave its unanimous support to it drawn from all sides of the House on the 29th September last year. My resolution differs from the previous one in this regard, viz., that while my resolution requests the Government to embark upon a programme of military training to be given to all college students and other civilian population desirous of undergoing such training, the previous resolution urged the formation of a national militia. Secondly my resolution asks that facilities should be provided by the Local Government for such training.

Sir, at the very outset, I felt somewhat curious, sitting as I do in this part of the House, to move a resolution of this nature, as critics might come forward and say whether it is not inconsistent with the great principle which the Congress Party has been adopting in the struggle for freedom on which it has set its heart to achieve for this country, viz., the principle of non-violence. But, on a close examination, Sir, it will be observed that there is no inconsistency whatsoever between the adoption of the non-violent creed for carrying on our struggle for Swaraj or Independence and a scheme for giving military training for defending the freedom and liberty as and when it is achieved.

" I may also urge another point for the consideration of this House as to why it has become very important that the Government should take up this question and draw up an immediate

scheme. No longer can it be said that our people, however benighted or simple they may be, however remote our country may be from the Great Powers of the World, are going to be left alone unless we live in a dream land of our own and imagine that as we are far remotely situated from the first-rate Powers, there will not be any possibility of superior powers attaking us; because, thanks to the advance of modern science, distances have been circumscribed and the dramatic flight of three royal bombers from England to Australia a few weeks ago within record time and with only one halt will show that distance is no longer an important factor to be taken into account in regard to these matters. Sir, if we are still keeping our eyes shut to the actual realities and facts before us, we should be living in a world of our own.

" I may also add that beyond these concrete facts that stare us in the face, there are also other factors which make isolation of our country impossible. The forces that are working in various parts of the world must have their repurcussions on our country. The experiments that have been carried on in Spain and China between nations on the possibilities of expanding their territories and testing the supremacy of destructive machines have repurcussions even on our shores. Now, in the fields of China and Japan, you are having battles akin to those being fought in our own land, viz., the struggle of a people for the attainment of freedom against the shackles of imperialistic powers. These forces, though intangible, have their own repurcussions on our country. If any other example is necessary as a further illustration of this point, may I point out the attitude which America adopted some years ago and the policy she is adopting to-day? America is separated from Japan by several thousands of miles of sea, and she is separated from the Eastern Powers like Germany, England and France by a large stretch of sea; but even though she is far away to-day, we see from the papers that she has embarked upon a programme of re-armament which will stagger a country like India. I therefore submit that the advantage of distance is no longer available to us, and if we still stick to any policy of isolation, it will be like an ostrich burying its head in the sand feeling that it is secure. Therefore, it is absolutely necessary that this Presidency, nay, this country as a whole, should wake up to the need of fully equipping and arming itself for purposes not of aggression, not even for winning freedom for our country, but for the purpose of protecting the little freedom there is in the country at present, and any little freedom that may come to our country as a result of the political struggle that has been going on in our land.

" I may point out that since the moving of the last resolution on the floor of this House in September 1937, much water has flown under the bridge. A few months ago, owing to the events

in Central Europe and the threatened march of Germany on Czechoslovakia which had repurcussions of their own on the various countries in the world, the like of which we have never had in our age, many of us felt whether there was going to be peace at all in the world, or there was going to be a world war. And never was the equilibrium of people more unsettled than at that time, and it is no wonder, because the horrors committed in the wars at present are so great that the like of these we can never even dream. Even the last War, the Great War of 1914–18, will pale into insignificance when compared with the horrors that may be perpetrated in the coming wars. Again, Sir, modern science, new inventions and new fields of knowledge are being prostituted and pitted against one another and civilization itself is at cross-roads. Instead of these factors contributing to the prosperity, plenty and peace of the world, you have a degenerate man persisting in the science of heartless destruction and heart-rending horrors against helpless and unarmed humanity. Such, Sir, is the dilemma with which modern civilization is faced to-day. Such, Sir, is the nature of the path that man has designed for himself in recent times. I may mention certain events that happened in the last week of September of this year to show in what a plight the Indians would have been if the threatened war should have broken out, and come to our shores. I need not take up the time of the House by drawing a picture of the horrors committed by the employment of methods which have been brought on account of modern inventions. If the House will only remember that modern knowledge and modern science have placed untold horrors in the hands of man who wants to use them for the destruction of women and children and for the destruction of unarmed nations, it is enough. I ask them to remember only what they read in the newspaper about the description of a recent air raid over the unfortunate and helpless population of China. It was only three or four days ago that an air raid in China was said to have destroyed 5,000 helpless women and children who were non-combatants, if I may be permitted to use that corrective phrase. Such is the horror we may be exposed to.

Sir, it is high time that we gird up our loins in this matter in order to safeguard the interests of our country, in order to safeguard the freedom of our country and in order to safeguard the honour of our women and children and to avert any catastrophe, when an unwelcome fighter comes to our land. I want to say that I am aware that there is a school of thought which says that not only can non-violence be employed for the purpose of winning freedom, but it can be used also efficiently against an aggressor. But with great respect for even the originator of that school of thought, I may be permitted to say that this might be a very good suggestion provided our aggressor knows the benefit of non-violence and is in a mood to be influenced by such a subtle force.

"I only want to add this much: as long as there is exploitation of the weak by the strong, of the poor by the rich, and as long as there is exploitation of the uncivilized by the civilized, of one interest by another, so long will force be necessary to resist that aggression and exploitation. I have only to add in this connexion one further argument as to why military training for the advancement of our country is necessary. We have put our faith for a long time in solemn pledges and in sacred treaties and in guarantees, but unfortunately the sacredness of those treaties, the solemness of those pledges and the honour of those guarantees do not seem to weigh with the Powers intoxicated with material superiority. They fix their covetous eyes on the expansion of their powers and territory. We have had demonstrations of how these solemn pledges, treaties and guarantees have been set at nought and have been given the go-by. And that is the reason why our country should arm itself, not for purposes of aggression but for the sake of protecting itself. As I said, the resolution has commended itself to all sections of this House. I may be permitted to add that since the last resolution fourteen months ago, several things have happened in our country, and they strengthen the position taken up by this resolution. The Bombay Legislative Assembly some weeks ago passed a resolution recommending that all college students be given military training. Again the Government of the United Provinces have appointed a committee for the purpose of investigating the feasibility of teaching Military Science in colleges and high schools.

5 p.m. "Then, again, Sir, ten days ago I read in the newspapers that the Dacca University has resolved to introduce Military Science in its degree course. The Andhra Senate recently passed a resolution to the effect that the University should start a University Training Corps of its own. I find, Sir, that the Madras Government—even the peace-loving Madras Government—have taken steps to have an Air-raid Precaution Committee and to have persons nominated to that Committee. All these events that have occurred since the last fourteen months have strengthened me in moving this resolution urging upon the Government to examine the question in a very sympathetic manner and have confirmed my belief that we cannot afford to sleep over the question.

"I am indebted to the Hon. the Prime Minister. Last week in reply to a question from me as to what steps he proposes to take in order to give facilities for training in Military Science, he was pleased to state that this question was engaging the active attention of the Government. I am sure he is actively engaged in the examination of the details of this question. A few months ago I had the privilege of a free discussion with the Hon. Premier on this question of giving military training. I suggested to him one or two ways in which the Provincial

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Government can take up the question and give training without much financial commitment. I may refer to the discussion I had with him when he visited the district of North Arcot. There are a number of training centres for Sub-Inspectors of Police and constables in our Province I suggested to the Hon. Premier that these institutions might be asked to give training in rifle-shooting and military drill to such of the adult civilian population as are prepared to abide by any regulations that might be framed by the Madras Government. I am sure that the matter must be engaging the attention of the Hon. Premier.

"A few weeks ago I addressed a communication to the Press suggesting the following measures for giving preliminary military training. This is a draft skeleton of the scheme that I placed before the public. All students in colleges should compulsorily have a course of drill in military manœuvres and rifle-shooting; use of machine-guns and anti-air craft guns may also be included; all students of high school classes of 16 years and above may have a training in drill, rifle-shooting and first-aid; I also suggested that all girls of schools and colleges must be taught first-aid and the use of gas-masks and air-raid precaution measures. Police and Military officers where they are available may be utilized for the purpose of imparting instruction, as part of their duties. Since this article appeared in the Press, I have received a large number of communications of which I just wish to place one before the House. A provisional syllabus for compulsory military training for high school and college students has been drawn up by General N. T. Scindia of the Baroda Army. He gives us a detailed syllabus of the course that may be adopted for schools and colleges. I shall place this syllabus in the hands of the Hon. Prime Minister, if so required.

"One of the criticisms that have been passed on to me specially referred to in the *Statesman* of Calcutta with regard to the scheme I published, is this. It stated that the military training of school boys was tried elsewhere and it has proved to be a failure. Subsequent to the appearance of that criticism in the Press, I have communicated with a friend of mine who is having his boy educated in a school in Edinburgh; the boy is aged 14 years. That friend of mine has placed the letter received from his son, in my hands; it is to the effect that rifle-shooting is taught to the school boys in England and that the young Indian lad has received a prize of £ 20 for proficiency in rifle-shooting. That, I think, must give the answer to that criticism.

"But apart from details, I may be permitted to add, Sir, that even students of high schools may undergo a sort of military training, if not, full military training, some training in control and discipline which is a precursor to military training. I know that the Hon. Premier with his love for discipline, with his love for order, with his ardour for village games, would certainly

consider the value of military training, if taught to the villagers as part of the scheme for teaching order and discipline, especially when they gather together in large crowds.

"Apart from the intrinsic value, apart from the necessity of *imparting military training, which, I submit, is quite indispensable.* I have no doubt that military training—especially the drill part of it—would also serve another great purpose, namely, the purpose of making the nation a physically fit nation. How degenerate we are physically, goes without saying and one of the possible effects of such a training would be to make a strong man of the man in the street.

"I do not propose to take up further the time of the House. As I started by saying, we want military training for purposes of defence; we want military training to show to any aggressor that it will be unprofitable and uneconomic for him to invade our country; we want military training to make our nation fit to take its place and to play its legitimate part in the march of events, in the happenings of the world. I may also remind the House of the twentieth anniversary of the Armistice of the Great War which we celebrated a few days ago; according to me, the horrors of that Great War would simply pale into insignificance, if a war, which is being threatened, breaks out. The Armistice was brought about on 11th November 1918, and the nations of the world were saying that they were going to forsake war for all time and the nations pledged themselves to say that social justice and not brute force was going to rule the world. All these lessons and morals born of that War have to-day, within a short space of 20 years, been forgotten; not only have they been forgotten, but it looks as if the whole series of horrors is going to be re-enacted in a more gruesome form; and even for that we must be prepared.

"What do we find in Europe to-day? Europe to-day is an armed camp; each nation is trying to vie with the others in the mad race of re-armament at enormous cost. If statistics can be believed, I think the world is spending a sum of Rs. 15 crores a day upon armaments. When this is so, India also must strengthen herself not for the purpose of aggression, but for the purpose of defending herself. Events that are happening in our own land do not seem to take a correct path to the nationalization of the Army. The Chatfield Committee, a committee consisting of supposed foreign experts, is examining the problem of the defence of our country; not a single Indian has been associated with the committee. Such seems to be the tragedy in this land; such seems to be the helpless nature of our country. The sooner we take to the path of sanity, to the paths that will face the realities of the situation, and give our young men in all schools and colleges the training that will befit them to hold up the banner and honour of

our country, the better it would be for the country. With these words I move the resolution and commend it for the acceptance of the House."

* SRI G. RANGAYYA NAYUDU :—" అధ్యక్ష మహాశయా, ఇదివరకు అనగా పోయిన 1937 వ సం॥ సెప్టెంబరు 29 వ తేదిన నా మిత్రులు బషీర్ అహమ్మదుసయ్యదుగారీ మహాసభయందు ప్రవేశపెట్టిన ఇట్టి తీర్మానమునందు నేనుకూడా పాల్గొంటిని. అప్పుడు ప్రభుత్వమువారు ఈ తీర్మానమునుగూర్చి ఆలోచించి ఆ విషయములో తగిన ప్రయత్నము చేయుదుమనిరి. అనగా కళాశాల విద్యార్థులకును ఇతర జనసామాన్యమునకును సైనిక శిక్షణము నిచ్చు విషయములో శ్రద్ధవహించెదమనిరి కాని ఇంతవరకు ఏమి చేసినది నాకు తెలియదు. ఇదివరకు ప్రతిపాదించిన తీర్మానముప్రకారము శ్రద్ధయే వహించినట్లయిన ఈ రోజున రామస్వామి మొదలియారుగారు మరల ఈ తీర్మానము నెందులకు ప్రవేశపెట్టెదరు ?

" ఈ తీర్మానము చాలా ముఖ్యమైనది. మన దేశములో ఇప్పుడు ప్రజలు నిరాయుధులైయున్నారు. ఇందుచేత అనాదినుండియు మన ప్రజలు నిరాయుధులైయుండిరా లేక ఇప్పుడే నిరాయుధులైయుండిరా యను సమస్య ఉదయించవచ్చును. పూర్తిగా గమనించినట్లైన వారు పూర్వకాలమునుంచియు నిరాయుధులై యుండలేదు. పూర్వకాలములో వారికి ఆయుధము లుండెడివి. గ్రామములయందును, పట్టణములయందును కూడ ఆయుధపాణులుండిరి. అప్పటి ప్రజలకు ఆయుధములు ధరించుటకు స్వాతంత్ర్యముండెడిది. ప్రతి పల్లెయందును, ప్రతి గ్రామమునందును, ప్రతి పట్టణమునందును ప్రజలు సమస్తమైన ఆయుధములునుపట్టి ఆయుధ శిక్షణమును నేర్చుకొనియుండిరి. అంతియేకాక యుద్ధమువచ్చినప్పుడు ఆయా ప్రాంతములోని ప్రజలు తమ రాజుకు యుద్ధములో సహాయపడి అందు పాల్గొనుచుండెడివారు అప్పటి ఆయుధ సామగ్రియందు కత్తులు, కర్రలు, బల్లెములు, విలు విద్య యుండెడివి. ఇవి సామాన్య జనులందరును నేర్చియుండెడివారు. 18 సంవత్సరములు పైబడ్డ యువకులు మొదలు 90 సంవత్సరములు వచ్చువరకు విలు విద్య నేర్చుటయు, కత్తి సాము, కర్రసాము నేర్చుటయు, ఇతర సైనిక శిక్షణమును నేర్చుటయు ప్రతి గ్రామమందును ఆచారమై యుండెడిది. మన దేశములో విలు విద్య చాల ముఖ్యమైనది. దాని తరువాత కత్తి సాము, ఆ తరువాత కర్రను ఉపయోగించెడివారు. అవన్నియు ఇప్పుడు క్రమ క్రమముగా నశించినవి. ఇప్పుడు ఆయుధముల నెవరును ఉపయోగించుటకు స్వాతంత్ర్యము లేకున్నారు. ఇప్పటి ప్రభుత్వముయొక్క మహిమయే దీనికి కారణము. ప్రభుత్వమంటే ఆంగ్ల ప్రభుత్వము. కాంగ్రెసు ప్రభుత్వము కాదు. మన దేశమునకు ఆంగ్లేయులు వచ్చి భారతదేశమును సంపూర్ణముగా ఆక్రమించి తమ ప్రభుత్వమును స్థాపించినపిమ్మట మనదేశములో ప్రజ ఉపయోగించెడి ఆయుధములను చూచి భయపడి, కత్తినిగాని, కర్రనుగాని, విల్లునుగాని పట్టుటకు వీలులేదని ఆయుధచట్టమును నిర్ణయించినారు.

ఇప్పుడు మనము సైనిక శిక్షణమును కావలెననుచున్నాము. ఎట్టి సైనిక శిక్షణ కావలెను ? మనకు పూర్వకాలపు సైనిక శిక్షణ కావలెనా ? లేక ఈ కాలపు సైనిక శిక్షణ కావలెనా ? పూర్వకాలములో కత్తితోను, కర్రతోను, విల్లు నమ్ములతోను యుద్ధములు చేసిరిగాని ఇప్పుడు, విమానాయుధములు, బాంబులు, గాలిలో ఎగిరే విమానములు, నీళ్లపైన పోయే యుద్ధనావలు, నీటిలో మునిగిపోయే యుద్ధ నావలు వీటన్నింటితో

యుద్ధములుచేయుచున్నారు. పూర్వకాలములో జరిపిన యుద్ధములన్నియు ధర్మయుద్ధములే. ఇప్పుడన్ననో, అన్నియు అధర్మయుద్ధములే. ఇప్పుడుచేయు అధర్మయుద్ధములకు కావలసిన యుద్ధ సామగ్రి కావలెను. దానికి తోడు సరియైన సైనిక శిక్షణము నీయవలెను.

“మన కాంగ్రెసు సిద్ధాంతము దౌర్జన్యరాహిత్యము. అట్టి సిద్ధాంతముతోనే మన శత్రువగు ఆంగ్ల ప్రభుత్వమును జయించవలెను. జయించుచున్నాము వారిపై అహింసా సిద్ధాంతపు ఆయుధమునే ఉపయోగించవలెను. అంతే ఈ ప్రభుత్వముపై ఆయుధముల నుపయోగించవలెనని నా యుద్దేశ్యముగాదు ఐతే ఇది ఎందుచేత నయ్యా? ఈ దౌర్జన్యరాహిత్యపు ఆయుధము గాంధీగారిచే కల్పింపబడినది. ఇప్పటికి 52 సంవత్సరముల క్రిందటనే ప్రారంభింపబడి, అప్పటినుంచియు వారీ దౌర్జన్య రాహిత్య, అనగా శాంతి యుత యుద్ధముచేతనే ఆంగ్లేయులను జయించుచువచ్చుచున్నారు ఐతే వీరివైన తలపడి వీరిని కొట్టుటకుకాదు. ఈ దేశమునుండి ఆంగ్లేయులు పోయిన తరువాత, ఇతర దేశముల వారెవరైనను రావచ్చును. మనకు సమీపమునయున్న జపానువారు రావచ్చును. వారు చైనాను చాలవరకు జయించినారు. ఇండియాకు సమీపమువరకు వచ్చినారు. చైనాను జయించిన తరువాత రాజ్యకాంక్షచేత ఇండియాకు రావచ్చును. వారు హటాత్తుగా వచ్చిపడినప్పుడు సైనిక శిక్షణనిచ్చుటకు మొదలుపెట్టుట కాదు. అట్లు ఇతరులు మన దేశముపై బడకుండా ఆత్మరక్షణార్థమై ఆయుధ శిక్షణము నేర్పుట మంచిది. ఆ నేర్పుటలో అన్ని ఆయుధముల నుపయోగించుట, విషవాయువులను, విమానములను, కత్తిసాము, విలువిద్య, కర్రసాము, ఓడలపై యుద్ధము మొదలైన వాటి నన్నింటిని సంపూర్ణముగా, ఆధునిక పరికరములతో, అనగా ఆంగ్లేయులు ఏ శిక్షణమును తమజాతులకు నేర్పుచున్నారో అట్టి శిక్షణమే మనకుకూడా కావలెను ఈ మధ్య మనప్రధానమంత్రిగారు ‘మాస్కు’ అనే సాధనమును మూతికి కట్టుకొని పరీక్షించినట్లు విన్నాను. అది విషవాయువును ప్రాకకుండా ప్రతిఘటించు సాధనమని విన్నాము. ఇట్టి సాధనములతో మాత్రమే మనము తృప్తిపొందకూడదు. ఇతరులుమనపై మారణాయుధములను ప్రయోగించునప్పుడు మనము మూతులు కట్టుకొని అనాథలవలె కూర్చొనక దెబ్బకు దెబ్బ వెంటనే కొట్టు ఆయుధ శిక్షణము, బలము మనకు కావలెను. మన ప్రభుత్వము వారిదివరకు వాగ్దత్తముచేసిన ప్రకారము ఈ తీర్మానము నెగ్గిన పిమ్మట వెంటనే దీనిని అమలులో పెట్టి ప్రతి కళాశాలయందును, ప్రతి సంస్థ యందును, విద్యార్థులకే గాక గ్రామస్తులకు కూడా దీనిని నెఱపవలెను.

“ప్రతి గ్రామములోను సైనిక శిక్షణనిచ్చినచో గొప్ప వీరులు తయారుకాగలరు. నేను యువకులవలెనే కత్తిగాని, కర్రగాని ఏ ఇతర ఆయుధములుగాని పట్టగల్గిన శక్తి వంతుడనైయున్నాను. నాకిప్పుడు 69 సంవత్సరములు. సైనిక శిక్షణమారంభించిన యెడల నేనును నేర్చుకొని యుద్ధములందు పాల్గొనుటకు సంసిద్ధముగ నుండెదనని చెప్పుటకు వెనుదీయను. కావున సైనిక శిక్షణమును సమస్త జనులకును నేర్పింపవలెను. అందుచేత ప్రధానామాత్యులను ఈ విషయములో దీర్ఘముగా ఆలోచించి వెంటనే ఈ సైనిక శిక్షణశాలలను ప్రతి గ్రామమందును, ప్రతి పట్టణమందును, ప్రతి పల్లెయందును స్థాపించి సైనిక శిక్షణను నేర్పించుటకు ప్రయత్నము చేయించగలందులకు ప్రార్థించుచు ఇంతటితో విరమించుచున్నాను.”

7th December 1938]

* SRI D. RAMALINGA REDDIYAR:—" Mr. Speaker, I rise to support the resolution moved by my hon. Friend Mr. Ramaswami Mudaliyar. So sensible . . ." 5-15 p.m.

MR. SPEAKER:—" The question will be propounded before the third speech is made.

" The question is:

> ' This Assembly recommends to the Government that it is necessary and desirable that immediate steps be taken to provide facilities for military training to all college students and other civilian population desirous of undergoing such training'."

* SRI D. RAMALINGA REDDIYAR:—" ' So sensible were the Romans of the imperfections of valour without skill and practice,' says Gibbon, ' that, in their language, the name of an army was borrowed from the word which signified " exercise ".' It is needless for us to resort to the bludgeon type of discipline of Frederick the Great. Patriotism, team work, *esprit de corps*, are now essentially the appeals. Since the World War, the popular movement which aimed at undermining the militarist admiration of war caused ' the outlawry of war ' in the Kellogg or Paris Pact of 1927; but the whole moral tradition in the West is affected by the way in which history is written and taught, so as to exalt the military virtues and justify past violence. The admiration for resistance to alien force, as expressed in Greek poetry of the sixth and the fifth centuries, survives in Plato as a tradition of valour. In his Republic, war against outsiders is assumed to be inevitable. Defence is no longer defence of civilization itself, but defence of one kind of civilization against another. The desire for adventure merges with the desire for being important. The bank clerk or the grocer can be treated as a ' hero ' when he wears a military uniform. The younger and more vigorous are attracted to what promises relief, even at the risk of death for themselves or disaster for all. The drums, the flags, the medals and the signs of rank in connexion with war have a great appeal.

" For many decades there have been ' military schools ' in Italy, Russia, Austria, France, Germany, England, Switzerland and elsewhere, to give basic education and military knowledge and technique to prospective officers. Germany, learned in the various arts of war, rose to be a great power, and she trained her armies to be the finest in the world. In the last World War, Germany was able to achieve a philosophy and a method of military training, and it was this that made the German armies so splendid in 1914, not the mere fact of nation-wide conscription. Thus, the authority Dilke described it in 1883: ' When the recruit joins,

[Sri D. Ramalinga Reddiyar] [7th December 1938

towards the close of the year, he is as a rule a rather stupid and unwarlike creature; he has not even the proper control of his limbs, and this control is one of the first items of knowledge to be imparted to the soldiers of every nation. The control of limbs is given by what is called drill, beginning by the exercise of legs and arms, and going on to the rhythmical movement of smaller and then larger bodies of men, and thence to the handling and use of arms.'

" It is a patriotic duty of any Government to give the youth of the country military education. The duty of the citizen to defend the homeland against foreign invasion has been recognized throughout history. In the earliest forms of social organization, the obligation of military service in times of emergency applied to the entire able-bodied male population of the country.

" General Wood in the United States instituted in 1915 on a large scale the training of citizens in summer camps. The British Government initiated in 1908 in England, the Officers' Training Corps, otherwise known as the O.T.C. Annually over 30,000 American youths attend a four-week training camp, where they learn the rudiments of military training. Many of these come back in successive years for advanced and progressive instruction and perhaps qualify for commissions in the reserve corps. There are over 377,000 men who have received such training in the United States to-day. Of course, they have not the sure poise or the certain confidence of a regular officer and soldier, but at least they will escape bewilderment and confusion. Similarly, in many schools and colleges, there is military training for students, sometimes voluntary and sometimes compulsory, with periods; the first two years devoted to general training, and the last two years to leadership. These reserve officers' training corps in the colleges exist, ' to provide training in times of war ' from among the highly educated.

" Military training in schools and colleges offers students valuable physical and character training, teaches obedience, respect for law and other elements of good citizenship. To-day we are seeing anywhere and everywhere State conscription in countries like Germany, Italy, etc., and we see in England to-day that they are opening a national register. It may be compulsory or it may be left to the voluntary generosity or patriotism of the citizens of England to enrol themselves, and there is something like that in every country. When the necessity comes, we must be able to supply the required number of men, fully equipped, for the defence of the country.

" With these few words, Sir, I strongly support the resolution propounded by Mr. V. M. Ramaswami Mudaliyar."

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* SRI S. NAGAPPA—"అధ్యక్షా, ఈ సభలో ప్రవేశపెట్టబడిన ఈ తీర్మానముపై కొన్ని ముఖ్యమైన విషయములను చెప్పదలచినాను. పూర్వము మాజాతికి సంబంధించినవారు మంచి యుద్ధవీరులుగా వుండేవారు. అప్పుడు ఇప్పటికివలె విమానాలు, బాంబులు లేకపోయినా, కత్తులు, కర్రలు, వుండేవి. వాడుకత్తి, కర్రసాములుచేయుచు బల్లెములు మొదలైన ఆయుధములనుపయోగించెడివారు. ఇప్పుడు ఆ సలాజాతికి సంబంధించినవారు కర్రపట్టుటకుకూడా వీలులేని స్థితిలో నున్నారు. అట్టి స్థితికి మమ్ముల నీ ఆంగ్లప్రభుత్వమే తీసుకొనివచ్చినది. అందుకోసమ నేనాసహాయదయుడు వారికికూడా మిలిటరీ ట్రైనింగు కావలసినదని చెప్పినాడు. పూర్వము రక్తధారలలోనిండిన కత్తులతోను కర్రలతోను పోరాడినట్టి మేము ఈ రోజున పద్ధతితో పోరాడవలసివచ్చినది. మనదేశముపై ఇతర దేశీయులు వచ్చిపడినప్పుడు, స్వాతంత్ర్య సంరక్షణార్థమై, దేశసంరక్షణార్థమై వారి నెదిరించుట ప్రతి మానవుని విధియైయున్నది. అందువల్ల మనదేశములో ప్రతి మానవునకును ఆయుధ శిక్షణ యివ్వవలెను. నవీన పద్ధతులపై నడుపబడు ప్రతి ఆయుధమును ఈ దేశమున ప్రవేశపెట్టవలెను. దీనిని ఉపయోగించే విధానము, దానికి తగిన శక్తిని ప్రజలకు నేర్పవలెను. ఈ తీర్మానము చాలా బాగున్నది. దీనిని వెంటనే ప్యాసు చేయవలెనని కోరుచున్నాను."

* MR. J. NUTTALL:—"Mr. Speaker, I am greatly pleased 5—
to be able to support the resolution which has been so ably moved P.M.
by the hon. Member, Mr. V. M. Ramaswami Mudaliyar. I support the resolution generally, though I cannot agree with some of the reasons which some hon. Members have advanced. Unfortunately, I have not been able to follow the two hon. Members who spoke, I believe, in Telugu. But, I was sufficiently impressed by what my hon. Friend, Mr. Rangayya Nayudu said that I think he eventually will find his way into the army (Laughter). He speaks in such a commanding manner that he is sure to obtain promotion straightaway. I should say, to the rank of sergeant-major. I believe, if I have correctly understood Mr. Ramaswami Mudaliyar, he said that freedom is not attained by military force. It is quite right that freedom should not be attained by such measures, but it is correct, I think, to preserve freedom by means of military force, if the necessity should arise; and I think that is the reason for this resolution, namely, that we should have in this country a number of men who will be able, in times of emergency, to protect their fellow-countrymen. The essence of what the hon. Mover of the resolution said was the Boy Scout's motto 'Be prepared.' Military training, as has been said already, goes to promote strict discipline. It also proves whether a man is really fit. It will either make or break the men who come under so rigorous a training.

"There is one point in the resolution, which does not appear to me to be quite clear. From what the Mover of the resolution said, I think he intends that all college students should be given military training. As I read the resolution, the interpretation that I would put upon it is that college students and other civilians

who desire to undergo military training should be given freedom of choice to do so. I think it would be wrong to enforce military training on those who have no desire for such training. And if my interpretation of this resolution is as I have explained it, I am very pleased indeed to be able to support it."

* SRI V. M. RAMASWAMI MUDALIYAR:—" On a point of personal explanation, Sir. With regard to the intention as conveyed in the resolution, I must say that my resolution does not leave any option to any college student. I would like that all college students, unless they are exempted on grounds of health or medical unfitness, should have this military training . . ."

MR. SPEAKER:—" Then there are certain exceptions."

* SRI V. M. RAMASWAMI MUDALIYAR:—" With regard to the question of sex, I have already stated that lady students . . ."

* THE HON. SRI C. RAJAGOPALACHARIAR:—" Is he replying to the whole debate?"

MR. SPEAKER:—" In his personal explanation he wishes to include lady students also."

* SRI S. GURUVULU:—" అధ్యక్ష మహాశయా, గౌరవనీయులగు రామస్వామి మొదలియారుగారు ప్రవేశపెట్టిన మద్రాసు విద్యార్థుల సైనిక శిక్షణ తీర్మానమును పరిస్థితులనుబట్టి బలపఱచుచు ఈ సమయమున ఇందువిషయమై నా ముఖ్యాభిప్రాయములనుకూడ తెలియజేయుచున్నాను. మనము ప్రపంచశాంతిని గోరి అన్ని దేశములకాదర్శమైన సిద్ధాంతములపై నాధారపడి, ముందు దేశస్వాతంత్ర్యమునకై కృషి చేయుచున్నాము. మనము మహాత్మాజీ చెప్పిన అహింస, సత్యమను నాయుధములతో చిన్న చిన్న జాతీయ సైన్యములద్వారా భౌతికమైన ఆయుధ బలముగల బ్రిటిష్ ప్రభుత్వముతో శాంతి సమరము సల్పి తత్ఫలితముగా ఇప్పటికి ప్రజాసేవ చేయుటకు కిట్టి అనుకూల పరిస్థితులను పొందియున్నాము. ఇంకను మన మత్యంతాశ్చర్యకరమైన మార్పును చెంది, అనుకూల పరిస్థితులలోనికి పోవుచున్నాము. సర్వమత సామరస్యము మానవ కల్యాణము సమకూర్చుటకు సహాయభూతులము కానున్నాము. అందుచేతనే మనము ప్రపంచశాంతిని దృష్టియందుంచుకొని యుద్ధములకు విముఖతను జూపుచున్నాము. వీటికి మూలకారణమగు సామ్రాజ్యతత్వమును రూపుమాపుటకు ప్రయత్నించుచున్నాము. ఈ మహాప్రయత్నము సఫలముకావలెనన్న ఎప్పటికైనను విదేశీయుల దౌర్జన్యమునకు గురియగుదుమేమో యను భయమును సైన్యము, యుద్ధపరికరములే రక్షించునను దుర్బుద్ధిమను తొలగించుకొని మనదేశ ప్రజలందరును సత్య, అహింస యను నాయుధములను ధరించు జాతీయ సైనికులుగా తయారుకావలెను. దేశ స్వాతంత్ర్యము సమకూర్చునట్టియు, ప్రపంచశాంతిని స్థాపించునట్టియు యీ మహోద్భుతమైన సత్య, అహింస యను నాయుధములను దేశమందలి ఆబాలగోపాలముచేత ధరింపజేయవలసిన బాధ్యత మన కాంగ్రెసు ప్రభుత్వముపైనున్నది. కాబట్టి మన కాంగ్రెసు ప్రభుత్వముయొక్క భవిష్యత్కార్యక్రమములో ప్రధానమైన జాతీయ సైన్యమునకును, అహింస, సత్యమను నాయుధములకు ప్రాముఖ్యత నొసగుచుండవలెనని విన్నవించుకొనుచు ఈ సైనిక శిక్షణ తీర్మానమును బలపఱచుచున్నాను."

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* SRI C. R. PARTHASARATHI AYYANGAR:—" MR. Speaker, this resolution reminds us of the speech, in the second session of the Indian National Congress, by the late Raja Rampal Singh when he said that the Indian nation was converted into a flock of quill-driven sheep. One would ask whether after this long period any conversion has taken place in the minds of the succeeding generation, especially when great ideals are looming so large in the Indian horizon for the betterment of the Indian nation and of the whole world. I strongly advocate the resolution as it introduces a spirit of *comraderie* which is absolutely necessary, now that nationalism is in the melting-pot and provincialism and differences in castes, creeds and races will all disappear when military training is given to students in colleges. India alone can solve them in a satisfactory manner. The college is a big family where civic virtues are to be more fully developed and the foundations of true citizenship are to be truly and firmly laid, and where every college student ought to feel that he is a patriot; and patriotism will be rightly developed in him if he feels that he is a unit in a great military corps. There is a lurking belief in the minds of many people that when they speak, they must speak of my country, my province, my community, and such other petty provincialisms which must all very soon disappear. These things will be resolved when military training is imparted and every one feels that he is a citizen of the country and is bound to protect the interest of every one under his charge. The sense of patriotism rightly developed will certainly develop the sense of discrimination between what is truth and what is falsehood, and will also enable him to follow the right and avoid the wrong in a clear manner. It is in that spirit that we legislators have a great responsibility of introducing the right spirit of unity among the people; and it is therefore necessary that we should advocate this kind of military training because it inculcates in each individual a spirit of self-reliance and a strong individuality coupled with respect for the welfare of all. It is that attitude which is brought into the forefront by the training that may be imparted in colleges as a portion of the educational system. I have therefore great pleasure in supporting this resolution, for it introduces a true Kshatriya spirit and a true gentle knight who is the ornament of the nation. This kind of education will enable our young men to act together, think together, work together and aim together as a single unit, yet with an individuality each of his own creation. The protection of all people entrusted to his charge broadens his views and makes him a real citizen of the land. I have in my view that each one will have before him the vision of the Motherland to which he must bow in deep reverence when he practises military training, the sterner virtues of which will make each individual the prop of his nation."

5-45 p.m. MR. SPEAKER :—" I find that the Deputy Speaker as well as all the members of the Panel of Chairmen are absent from the House. I should like to put somebody else in the Chair for a few minutes, and it is only on a motion agreed to by the House that any other member could occupy the Chair in my absence. I, therefore, move from the Chair itself, that Sri Konda Venkatappayya may occupy the Chair and I suppose that that the House carries the motion. (Cheers.) I request Sri Konda Venkatappayya to take the Chair."

(Sri Konda Venkatappayya took the Chair amidst applause.)

SRI D. GOVINDA DOSS :—" అధ్యక్ష మహాశయా, పూర్వకాలమం దీదేశములో సమస్త ప్రజలకును ఆయుధముల నుపయోగించుటకు హక్కుండెను. మన గ్రామములకు వచ్చుచున్న యానాదులు మొదలైన అడవిజాతివా రుపయోగించు కర్ర, బల్లెము, కత్తి, డాలు మొదలైన ఆయుధములను మనము పూర్వకాలమం దుపయోగించెడివారము. ఇప్పుడు వాటి నుపయోగించుటకు వీలులేదు. ఇప్పుడు గవర్నమెంటు వారు ప్రవేశపెట్టబోయే తీర్మానము ననుసరించి మన దేశమందున్న ప్రతి పల్లెలోను, పట్టణమందును వున్న ప్రజలకందరికిని, నేను పైన చెప్పిన పూర్వకాలపు ఆయుధశిక్షణమే గాక ఇప్పటికాలపు ఆయుధ శిక్షణముకూడా ప్రజలందరికి నేర్పవలెనని కోరుచున్నాను.'

SRI P. T. VENKATACHARI :—" Mr. Chairman, I feel indeed proud to support the resolution so ably moved by my hon. Friend, Mr. Ramaswami Mudaliyar. It is a pity that our country is in such a terrible condition that we have to move such a pious resolution on the floor of the House with a doubt whether it will be possible for the autonomous Provincial Government to carry out effectively the desire embodied in it. Days there were, when our country was in the forefront in military campaigns; but even as a bird which has been deprived of its wings cannot fly, we in India have no military power and are helpless; and it looks as though even our young men have forgotten that they have a military instinct in them. It is high time that our country should improve in this particular direction. It is true that the Government of India Act does not give the Provincial Government absolute powers of control over the military department and they are not able effectively to organize its military forces with a view to the defence of the country. But it is the desire of the Members of this House that, if within the power that can be exercised by the Provincial Government, military training is made available to boys and girls in our colleges, there will be some hope that we will not forget the instinct that is so necessary for existence.

" The League of Nations, it was anticipated, might solve the problem of war and bring peace to the world by negotiations.

7th December 1938] [Sri P. T. Venkatachari]

Recent events have proved the ignominous failure with which the League was faced when it attempted to bring peace to the world by negotiations. It looks as if in order to exist as a nation, we must have to fight. In this state of affairs, we cannot be discussing whether training is to be given to all or only to those that desire to have it. These are points that we need not discuss at this stage. This resolution expresses a hope and requests the Government to give that training which is so essential for our existence as a nation. It is a training which is indispensable and for which no argument is necessary. I have very great pleasure in supporting the resolution."

* **Sri B. S. MURTI** :—" అధ్యక్షమహాశయా ; ఈ తీర్మానముపై ఒకటి రెండు విషయాలు చెప్పాలని నాకుకూడా కుతూహలముగా నున్నది. ఈ భారతదేశము ఇప్పుడున్న స్థితిచూస్తే చాలా బాధకరంగావున్నది. దుఃఖకరంగా వున్నది. ఏడ్వుటకుకూడా శక్తిలేదు. ఇప్పుడు మనదేశములో 38 కోట్ల జనాభా వున్నామని యింకా రెండు సంవత్సరములు పోతే 50 కోట్లు అవుతామని మనవారు అంచనా వేస్తున్నారు. కాని మనలో ఎంత సత్తువయున్నది, ఎంత ధైర్యమున్నది, మన దేశాన్ని, మన గౌరవాన్ని, మన స్వాతంత్ర్యాన్ని రక్షించుకొనే స్థితిలో వున్నామా లేమా అను అనేక భావాలు యువకుల హృదయాలను కలవరపెడుతున్నాయి. ధర్మ మార్గాన్ని కోరుదామా, దౌర్జన్యాన్ని కోరుదామా అనే సందిగ్ధావస్థలో లేము. సత్యానికి దగ్గరగాను దౌర్జన్యానికి దూరముగాను యున్నాము. ఈ రెంటిలోను ఏది ఎట్లా వుంటుంది. ఈ దేశముపై మరి ఏ దేశమైనను తిరగబడితే మనము మన దేశాన్ని రక్షించుకోగలమా లేమా అనేదానికి సమాధానమేమిటి? మనయందున్న స్థోమ తనుబట్టి మనయొక్క బలాన్నిబట్టి మనమేస్థితిలోనున్నామో దానినిబట్టి ప్రవర్తించాలి కాని కేవలము మేము అహింసా ప్రవర్తనగలవారము, దౌర్జన్యరాహిత్యమే మాయొ ధర్మమని చెప్పుటలో అర్థములేదు. మన మెల్లప్పుడును అహింసను కోరువారమే. ఎల్లప్పుడును ఇతరులను గౌరవించి ఇతరులకు మేలుచేసేవాళ్లమే. మన మాటలు మాత్రము పూర్వపు గ్రంథాలలో యున్నవికాని మన శక్తి పూర్వగ్రంథాలలో లేదు. ఇది వరకు మనము చాలామందిని పోషించాము, రక్షించాము. కాని ఇప్పుడు శక్తిలేదు. మన దేశములోవున్న యావత్తు యువకులు ఇతర దేశముయొక్క దాడిని అరికట్టగల్గిన స్థితిలో వున్నారా అనే విషయముచూస్తే చాలా ఆశాభంగముగానున్నది.

" ఈ బానిస దేశములో భావచైతన్యంలేదు. మొదట మన దేశములోవున్న బిడ్డలకు కసరత్తు, శస్త్రవిద్య నేర్పించామంటే వాళ్లు శస్త్రవిద్యతోబాటు శరీరబలము, శరీర బలముతోబాటు మనస్సును, మనస్సుతోబాటు సర్వ విషయములందును అభివృద్ధి పొందుట కవకాశముంటుంది. మన జనసంఖ్య 38 కోట్లున్నా, 83 కోట్లున్నా, జనాభా యెక్కువయున్నారా, తక్కువ యున్నారా అనేవిషయమెవరికిని అక్కరలేదు. మనము ముఖ్యముగా చేయవలసినదేమంటే, " మన మీరోజున ఇంత పిరికిపందలుగా తయారయినామే" అనే భావమును మన బిడ్డలలో పెంచకూడదు. వారిని ఇతరులను లెక్కచేయని స్థితిలో వుండేటట్లుగా తయారుచేయాలి. భారత దేశముకదా, దౌర్జన్యరాహిత్యము వల్లనే మనము జయించగలమని ఇప్పుడు చెప్పుటవల్ల ప్రయోజనములేదు. మన దేశముపై దండెత్తినవానిని బలముచేతను, అవసరమైతే సాహస దౌర్జన్యములచేతను

వారి దాడి నరికట్టకల్గిన స్థితిలో వుండాలి. తరువాత అహింస నేర్పరచవచ్చును. ఈ నిర్వీర్యమైన జాతి నిట్లుంచి మేము వారి శిష్యులమని, వీరి శిష్యులవని చెప్పుతు వీరికి దౌర్జన్యరాహిత్య సిద్ధాంతమును బోధించుట మంచిదికాదు. ఈ తీర్మానమును పెట్టు చున్నామంటే ఇతర దేశములకు మార్గము చూపుతున్నామన్నమాట. మేము కేవలము మాయొక్క స్వరక్షణకోసము ఈ తీర్మానమును ఆమోదిస్తున్నాము కాని దీనిని యితర దేశములలోవలె బలమైన దేశము బలహీనమైన దేశాన్ని కొల్లగొట్టుటకు కాదు. అట్ట దానికి వీలులేకుండా చేయడానికి ప్రయత్నించాలి. దీనిని ఆమోదించడమే కాకుండా ఈ తీర్మానమును వెంటనే కార్యరూపముగా పెట్టడానికి అందరును దీనిని బలపరుస్తారని నమ్ముచూ యీ తీర్మానమును నేను బలపరుస్తున్నాను.''

* MAHBOOB ALI BAIG SAHIB BAHADUR :—" Mr. Chairman, I support this resolution on behalf of the party to which I have the honour to belong. You may remember, Sir, some time ago an identical resolution was discussed and favourably viewed on the floor of this House; but it was eventually withdrawn on the assurance of the Hon. the Premier that whatever could be done would be done in the matter. This resolution has once again been brought before the House, the reason being that all sides of the House are getting more and more military-minded. It may be that world conditions—conditions especially in Europe and in Asia, with a crumbling League of Nations and with the Powers giving up their weaker allies on account of the military strength of their opponents—are such that we ought to take some measures to get ourselves militarily equipped. It may be that as we are pressing forward in our struggle for freedom, we do not want to give room for our opponents to say that we are not in a position to have independence, or that even if we attained it, we could not maintain it. It may be, Sir, that we instinctively find that we ought to be self-reliant where our country is concerned.
6 p.m. It may be for any of these reasons that so soon after the previous resolution was considered, this resolution is sought to be moved.

" I am glad, Sir, that we are becoming self-conscious. We do not want to be told by foreigners like Miss Mayo that we are close-chested, tiny little beings, that we have not got the strength and the will to do a thing continuously and struggle for freedom because we lack vitality. We do not want to hear the Europeans and others say that although we are 350 millions of people, there are only 15 or 30 millions fit in India. I am glad, Sir, that we are becoming alive to the criticism of the outside world. I am glad that my friend who has brought this resolution has always been agitating over this matter. I am glad that although the creed and ideal of the party in power is non-violence and truth, in practical politics, it thinks that it is necessary even for persons holding these views to defend themselves. And how can they defend themselves, unless they are physically and militarily fit? I am glad, Sir, that though the leader of this party has advised

his followers to lay bare their breasts and be shot down without exhibiting bitterness, the apostle of non-violence of this party, from the point of view of practical politics, thinks that it is no crime to be fit, to be ready, to be prepared for any eventualities and wants to train young men in the colleges at least who are to be the citizens of to-morrow, to make them fit to defend India when she gets freedom. In these circumstances, Sir, it is no wonder that from all parts of the country this demand for military training for our young men has been made and in some of the Provinces where the Congress is in power, already practical steps are being taken. I do not doubt that the party in power here and the Premier will try to take practical steps as early as possible: and, if it is not possible to take immediate steps to train all the people, young and old, let them make a beginning at least with the young who will be the real citizens of to-morrow."

*SRI. A. SUBRAHMANYAM :—" கனம் தலைவர்களே ! இப்பொழுது கனம் வி. எம். இராமசாமி முதலியார் அவர்கள் ஒரு அழகான தீர்மானத்தை இந்த சபையின் முன்பாகக் கொண்டுவந்திருப்பதைப்பற்றி நானும் வாலிபர்கள் எல்லோரும் பெருமை அடையவேண்டும், எதிர்காலத்தில் இந்த தேசத்தில் இருக்கக்கூடிய அரிய பெரிய வாலிபர்கள் எல்லோரும் இந்த தேசத்தின் அடிமை வாழ்வை நீக்கி இந்த தேசத்தின் சுதந்திர உணர்ச்சியை நிலை நாட்டும் நோக்கத்துடனேயே இந்தத் தீர்மானத்தைக் கனம் அங்கத்தினர் அவர்கள் கொண்டுவந்திருக்கின்றார் என்றே நான் நினைக்கின்றேன். அது தவிரவும், இந்த தேசம் தற்போது இருக்கும்படியான நிலைமையை உற்று நோக்கினால், இம்மாதிரியான ஒரு தீர்மானம் மிக அவசியம் என்பதை நாம் எல்லோரும் உணரவேண்டும் என்பதையும் நான் தெரிவித்துக்கொள்ள ஆசைப்படுகின்றேன்.

"'மண்வெட்டி கூலி தின்னலாச்சே, எங்கள் வாள் வலியும் தோள் வலியும் போச்சே !' என்று பாரதியார் கூறியிருக்கின்றார். இந்த தேசமானது மிகவும் கேவலமான நிலைமையில் இருப்பதற்குக் காரணம் என்ன என்று ஆராய்ந்து பார்த்தால் நம் தேசத்தில் ஒழுங்கு, கட்டுதிட்டம், சர்வனைமை, நல்ல சாப்பாடு, உழைப்புக்குத்தக்குந்த கூலி, இந்த விதமான முக்கிய வசதிகள் ஒரு சிறிதும் எவரும் எதிர்பார்க்க முடியாத நிலைமையில் இருக்கின்றது. ஒரு அல்வாதுண்டை சாப்பிட்டால் ஜீர்ணம் செய்யக் கூட சக்தி நமக்கில்லை. அதை சாப்பிட்டுவிட்டு செரிக்கச் செய்கிறோம் என்று வாயளவில் சொல்லுகிறோமே தவிர, அதை செரிப்பதற்கும் அவனால் முடியவில்லை என்றால் இந்த தேசத்தை நோவதா, அல்லது வாலிபர்கள் இருக்கும் நிலைமையை நோவதா என்பதுதான் எனக்கு விளங்கவில்லை. ஆனாலும் கூட தற்போது இந்த தேசத்தைப்பற்றிக் குறிப்பிடுகையில் ஒவ்வொரு தேசத்தைப்பற்றியும் நாம் கவனிக்க வேண்டியவர்களாக இருந்துகொண்டு இருக்கின்றோம். ஒவ்வொரு தேசத்திலும் அந்தந்த தேசத்து வாலிபர்கள் தலை நிமிர்ந்து நடக்கின்றார்கள், மார்தட்டிப் பேசுகின்றார்கள். 'நாங்கள் நல்ல வீரர்களாக இருக்கின்றோம். இந்த தேசம் எங்களுடையது, என்று சொல்லக் காரணம் அவர்களுக்கு தேகத்தில் வலிமையும், நல்ல ஆண்மையும், ஒழுங்கும், வலுவும் இருக்கிறது. ஒழுங்கும் கட்டுதிட்டமும் நமக்கு இருக்க வேண்டுமானால் இம்மாதிரியான ஒரு தீர்மானம் நம் நாட்டுக்கு மிக அவசியம். வட்டமேஜை மகாநாட்டில் மகாத்மா காந்தியடிகள் கூறிய வார்த்தைகளை நான் ஞாபகம் ஊட்ட விரும்புகிறேன்—இந்திய இராணுவத்தைப்பற்றி பேசும்போது, 'இந்தியாவில் ஆயிரம் வெள்ளைக்

[Sri A. Subrahmanyam] [7th December 1938

காரர்களை அடிக்கக்கூடிய ஒரு கூர்க்கன் எங்கள் தேசத்தில் இருக்கின்றான்' என்று மார்தட்டிச் சொன்னார்; 'ஆயிரமல்ல இரண்டாயிரம் வெள்ளைக்கார சோல்ஜர்களை அடிக்கக்கூடிய முஸல்மான் எங்கள் தேசத்தில் இருக்கின்றான். ஆயிரம் தேசத்தைக் கைப்பற்றி ஆளக்கூடிய சக்தி ரஜபுத்திர வீரர்களுக்கு இருக்கின்றது,' என்று கூறியிருக்கின்றார். இந்த தேசத்தில் எல்லோரும் வீரர்களாக இருக்கவேண்டுமானால் அதற்கு வேண்டிய சௌகரியம் இருக்கவேண்டும். இப்பொழுது செய்கையில் செய்து காட்டவோ, நடைமுறையில் காட்டவோ தக்க பயிற்சி ஸ்தலங்கள் கிடையாது. உதவி கிடையாது. ஆகையினால் ஒவ்வொரு கல்லூரியிலும் நமக்கு அவசியம் இருக்கவேண்டியது இராணுவப் பயிற்சி. நம் கொள்கை அஹிம்ஸையாக இருந்தாலும், சத்துருக்களிடம் நாம் அஹிம்ஸையை கைப்பற்றி நடப்பதாக இருந்தாலும் அவர்களை ஜெயிப்பதற்கு நம்மால் ஆகும் என்பதையும், பிறர் அடியை பொறுத்துக்கொண்டிருக்கக்கூடிய சக்தி இருக்கிறதென்பதையும் அவர்கள் உணரவேண்டும். ஆகவே, நம்முடைய கௌரவத்தையும் பலத்தையும் காட்டுவதற்கு இது ஒரு நல்ல சந்தர்ப்பமாகும். இந்த முறையில் நாம் அஹிம்ஸையை கடைபிடித்து கண்டிப்பாக இந்த தேசத்தின் பிற்கால வாழ்க்கையை நிர்ணயிக்கவேண்டுமானால், இந்தியா இந்தியர்களுடையது என்று நிர்ணயிக்கவேண்டுமானால், இந்த மாதிரி கொள்கைகளில் திட்டம் வகுத்து வேலை செய்யவேண்டியது மிக அவசியம். வெள்ளைக்காரர்கள் இந்த தேசத்தைவிட்டு போய்விட்டால் ஜப்பானியர்களோ, ஜர்மனிக்காரர்களோ, ஆஸ்திரேலியாக்காரர்களோ, இத்தாலியர்களோ வருவார்கள் என்று பயப்படவேண்டியதில்லை. வெள்ளைக்காரர்களும் இந்தியா விஷயத்தில் கவலைப்படவேண்டியதில்லை என்று தெரிவித்துக்கொள்ளுகிறேன். நம்முடைய தேசத்தைக் காப்பாற்றிக்கொள்ளும் சக்தி நமக்கிருக்கின்றதென்பதையும், பிற நாட்டாரை எதிர்த்துப் போர் புரிய நல்ல தேக வலிமை இருக்கின்றதென்பதையும் நாம் மறந்துவிடக்கூடாது. ஆகையால் இந்தத் தீர்மானத்தை நான் ஆதரிக்கிறேன்."

* SRI N. S. VARADACHARIAR :—" Mr. Speaker, I see that the Mover of this resolution has put down a very modest but innocuous proposal. If what he says is that everyone in India, particularly the students of colleges and able-bodied men in the civilian population, should keep fit and prove themselves worthy citizens of this land, I have no complaint to make. But as it is, the resolution says that this Assembly recommends to the Government—and I presume it is the Madras Government to whom the recommendation is made—that it is necessary and desirable that immediate steps should be taken to give training for such of those students of colleges and civilian population as would desire military training to be given to them. This does not carry us anywhere. If you believe in real military training, you must see that your finances permit it, that you have experts in the science of war and modern warfare to train you in such an art. It is no use recommending to a Government who cannot command the services of experts in modern warfare, to give college students military training.

"The word 'military training' has very many different meanings, as spoken to by various members of this House. If by 'military training' is meant keeping physically fit, I, for one am with the Mover of this resolution. It may be done in various

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ways. The Local Government can even reorganize its police force and render it more mobile and make it almost a second line of defence to assist the military in this land. But if it is meant to get up a new army and make the students of colleges the nucleus of such an army and for the reason stated by the Mover of the resolution, I am afraid I cannot agree, as modern warfare is very distasteful to me. If only my friend had read that excellent book, 'All Quiet on the Western Front,' which I had the privilege of reading when I was in prison, I know that he would never agree to the creation of standing armies in each country, with their implications of wholesale slaughter, but would agree with me that the abolition of all armies is the best course to be pursued in the world.

(At this stage, the Speaker resumed the Chair.)

"My friend, Mr. V. M. Ramaswami Mudaliyar, in moving the resolution, pictured a state of war, maddening war, and a war of violence in which we would get inextricably entangled."

MR. SPEAKER:—"I suppose the Parliamentary Secretary is not speaking on behalf of the Government."

* SRI N. S. VARADACHARIAR:— "*I do not agree that we* As the Government have still to formulate their policy, I cannot speak for them."

MR. SPEAKER:—"Yes. It must be distinctly understood that it is only a personal speech and not on behalf of the Government."

* SRI N. S. VARADACARIAR:—"I do not agree that we are living in such a nervous atmosphere. It may be that the West is living in perpetual dread of war, and the dread of perpetual war is created by this unsolved problem of standing armies and more and more money to keep up and extend these standing armies.

"My friend told us that modern science is hurling and raining death. Yes, Sir. Years ago, I read that brilliant essay by De Quincey justifying war. I can justify war for the very many reasons that he gave. But I cannot understand modern warfare in which you find yourself securely in trenches and dug-outs, having no straight targets to aim at, but simply to hurl and rain death by scattering your shot in various directions in the hope that it may kill thousands and thousands on the other side. It would be in the interests of civilization, Sir, to go back to the old method of settling fights between nations by single combat. If I had supreme power, I would ask Hitler and Mussolini to carry two rifles and ask Chamberlain and Daladier similarly armed to fight in single combat and decide the issues amongst themselves. (Laughter.) This would be much more human and much more

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humane also than to ask thousands and thousands of innocent people to stand behind shelters, assuring them that they are secure from the enemies' shot but hiding them in dug-outs and behind the Maginot lines and providing gas-masks and what-not, and ask them to kill as many as possible by raining death, as it is called in modern science. There is something of utter cowardice in all this. If Krishna fought and won in single combat with Kamsa's emissary, it was braver and nobler, because, there each one had put his strength in it according to the cause for which he fought.

"But to-day what do we find? Nations are arming blindly. England has spent not thousands, but millions of pounds on armaments. She does not know whither she is drifting. So is France armed to the teeth. She looks to her glorious line of military generals beginning with Turenne and Conde and possibly ending with Marshal Foch. Germany has built up a huge army on the mere pretext that she is going to be attacked. Yes; every aggressor is talking of defence. My friend, Mr. Ramaswami Mudaliyar, wants to defend India against foreign attack. Heaven help us if we too like the Hitlers and Mussolinis who were afraid that their countries would be overwhelmed by the French and British armies, start to recruit a standing army from the vast mass of unemployed in this country, even as they do in Europe. It is not merely college students going for war. It is the people who do not find employment, who have no bread, who want that ammunition factories should prosper and who live every day to see the prosperity of those who manufacture new instruments of death. It is that psychology, Sir, that is behind the Western nations. That does not indicate much bravery; on the other hand, it seems to me to indicate cowardice Sir, some time ago I had the privilege of meeting a very great man who returned from the West. He said that the Spanish Republican army had now ceased to be terror-stricken in the face of air-raids, because everybody went about saying, 'We need not put on even gas-masks. There is only a chance of our being bombed from 15,000 feet above. The targets are not determined. We shall take our chance and risk our lives. One in a thousand is the chance of death.' I do not want India to live in that miserable condition.

"In this connexion I must protest against the tendency in this country, which is being now displayed, to talk of us as a futile and weak nation. It really shook my nerves when I read the speech of one of the Ministers from which it almost looked as if we are a nation of filth and squalor. But there is nothing of the kind. We are a fit people . . ."

MR. SPEAKER :—"Is he a Minister of this Government?" (Laughter.)

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* SRI N. S VARADACHARIAR :—" No."

MR. SPEAKER :—" Perhaps a British Minister? " (Renewed laughter.)

* SRI N. S. VARADACHARIAR :—" We need not inquire."

MR. SPEAKER :—" The Parliamentary Secretary is at least not attacking one of the Ministers of this House." (Laughter and cheers.)

* SRI N. S. VARADACHARIAR :—" Even if I said it, it was not an attack. It was only intended to dispel the wrong notion that people might acquire even from the debates in this House, that we are a nation of filth and squalor. I repudiate that statement. On the other hand, we are as fit as the fittest persons in the world. If you want to cultivate a spirit of comradeship and all the virtues which military training will give you, I say, I am for cultivating those virtues. I am for team-spirit; I am for the spirit of comradeship; I am for love between man and man; I am for civilization, not death. That is the main difference. If I am saying all these, it is with a view to refute the argument that we start arming for defence purposes. No nation has ever really started arming for defence. Because, starting an army for defence always ends in the armed nation becoming an aggressor or threatening to become one such.

" The hon. Member, who moved the resolution said, ' I have great respect for the other but different opinion in this country in regard to this.' But I most respectfully enter my caveat against this attitude. ' It is neither practicable nor wise,' said he, ' to follow the example of the great leader who asks you not to hit but to lay down your life, if need be, in defence of your rights.' I say there is much in that other opinion. There is more bravery in a man going unarmed and trying to resist might with right. There is less cowardice in him than in a man seeking protection under the trenches and dug-outs but emerging from them and raining death. My friend forgets all this; and this is the lesson to be learnt in India and, if possible, to be extended all over the world. Then we shall have the day—the good day—when armies will be abolished, when war will be a thing of the past and when everybody will forget the psychology of hate, and hate more and more, which is but natural as standing armies in each country begin to grow.

" I now come to one other thing. I have no objection, for instance, to the wisest and the best fitted men of this country becoming a small army for defence purposes. I can understand that proposition. But to make this a nucleus for an army of the kind that is at the back of our mind, but which we do not like to say the least, is what I cannot understand. Japan has raised an army; Germany has raised any army; so did France and

Britain; the Unites States is further going to raise a big army by providing the necessary amounts in her budget. But the recruitment is not made on the lines that were made in the olden days in our country when the Kshatriyas were recruited. They were the class of people that were intended to fight and fight only to protect honour against dishonour; to protect right against might. That was the kind of idea underlying recruitment in the olden days. As I said before, then you could see your target; there was some skill in it; and you could aim your arrows straight at your enemy and hit. But what is the skill, what is the wonderful arrangement by which you place millions of people on either side and ask them to rain death ceaselessly on the other side? There is no bravery in that, and I am ashamed to see that the world has come to the brink of misery, and degradation. We have lost the lessons of civilization. If a new civilization is built up for India, it will be on the lines which Mahatma Gandhi has sketched out for us. I would rather, as I said at the beginning, go to the pugilist of old and ask him to fight battles in a single combat, than go to the bellicose general who shows his bellicosity in every medal he wears, in every button that becomes his ornament and even in the gait that he puts on for normal activity.

"Sir, I do not really believe in modern standing armies. I am against conscription. Conscription is the greatest danger before the world. We must keep fit; we must keep physically fit; engage in all sports, if you like—in wrestling, in archery and in rifle-firing. But never create an army. An army is the greatest danger that the world will have to face in future. The army of Japan intended for self-defence against foreign invasion, as it was said, has now turned out to be an instrument of aggression.

"As I said before, this resolution will mean something if it asks the Government to re-model their police force, to put only college students there, after their period of college-training is over, after their education, and to make it a labour-military-corps, for instance to lay out roads, organize the country-side for working charkas and the like and to make them organized for various other fruitful industries. But don't build up an *army*, even from the flower of our youth. Don't for heaven's sake put this idea into their minds that India must always live in dread of foreign invasion and that we must organize force and mechanize it.

"Sir, India is the only country in the world which, I claim, has followed a different path from that of other countries. I will explain myself. While India was attacked by invader after invader, beginning from the Mongol, the Hun, the Arabs and Persians, the Portuguese, the Dutch, the French and the British finally, she had been marching along the path of civilization, whereas the West began with extermination. Where are the

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people who were conquered by Cortez who marched out of Spain to Mexico? Where are the Red Indians of America, and where are the people of Africa who are fast going to the verge of extinction and extermination? Extermination is the path of the West. But absorption, making all the races civilized, offering them shelter and making India the home of the genius of the world is our path. If that is accepted as India's path, I cannot accept the implications behind the argument that India must live in a state of terror, must recruit its standing army like the Western countries, must give training in the art of modern war in which I see no strength, no agility and no bravery, as I understand these terms, but only cowardice, but only more and more shelter, but only more and more hate.

"Now if the Mover of the resolution will say that it is for a specific purpose, he can indicate its definite form. If we are able to take it up, the Hon. the Premier will be able to find a general of repute who can undertake to give military training for us. (Interruption.) Yes; he can train us. I know he is himself a warrior who has fought many battles; he can train us, but not in the art of modern war. Should he undertake such a task, no one will be happier than I. If that is the meaning of this resolution then let us urge on the Government to get the general; let us find the money necessary for it, and let us find the equipment for it. But let us not work up that fatal idea in our minds that we shall have to live always in terror, that aggression will hover over India, and that we too shall have to enter the whirlpool of violence which is going round and round this world." (Applause.)

* Sri C. J. VARKEY:—"Mr. Speaker, I am not addressing 6-30 the Assembly as a Parliamentary speaker. (Laughter.) I mean p.m. I am not addressing the House as a Parliamentary Secretary, but only as a member of this House. I have come here not to oppose the motion."

Mr. SPEAKER:—"Does the hon. Member mean to say that the Government have no policy on this subject?"

* Sri C. J. VARKEY:—"I have not been able to find out the policy."

Mr. SPEAKER:—"So, the Parliamentary Secretary wants to express his own view irrespective of the Government's view."

* Sri C. J. VARKEY:—"At any rate the Government have not so far . . ."

Mr. SPEAKER:—"In this debate Hon. Ministers and Parliamentary Secretaries will have to be permitted to speak in their individual capacity, I see. Already ten members have

spoken, of whom two are Parliamentary Secretaries; and of the latter, one spoke in favour of the resolution and the other against it."

* SRI C. J. VARKEY:—"In your absence, Sir, this has been allowed . . ."

MR. SPEAKER:—"*A very peculiar situation has arisen in this House.*" (Laughter.)

* SRI C. J. VARKEY:—"Anyhow let us see how the debate proceeds. (Laughter.) So, Sir, I am not here to oppose the motion; nor am I in love with the resolution. I would like to *have some light on this question. There are four difficulties: Two* are of a fundamental nature and two are of a practical nature. The first thing we are told by the hon. Mover as well as the Members who spoke later in support of this resolution, is that military training improves the physique of the nation. I cannot well realize, or rather understand, the logic of that process of training. I presume that for military training—if we are to turn out good soldiers—one should possess, as a pre-requisite, a good physique. *And what some of the speakers did was to* confound between military training and physical training. Without physical training it is impossible to improve the physique of the nation which is a preliminary to the giving of military training. The attention is now being distracted by this issue *of military training, instead of being concentrated on the ques*tion of physical training, and on making an effort to improve the physique of the average student of our high schools and colleges. Without a good physique, we cannot think of sending our young men to military colleges to acquire there military training. This is a fundamental difficulty which a teacher like myself can realize better than a mere politician.

"The second fundamental difficulty that faces me is the apparent contradiction between violence that is implied in military training and non-violence which is the cardinal principle underlying our national life as long as we live under the influence of the inspirer of that ideal of 'Ahimsa.' For winning freedom, we require non-violence. Is this not inconsistent with military *training? In fact, we are told by the inspirer of that ideal, that* non-violence is a good remedy even at the time of violence, even at the time of invasion and even at the time of aggression. We are told that even by non-violence we can drive away our foe, be our enemy Eastern or Western. After having won freedom by non-violence, are we to start compulsory military training to protect the shores of our land? There is obviously a logical inconsistency which I cannot understand. Therefore I say there is some fundamental difficulty in accepting this resolution. Indeed there are some sections of our leaders who believe that non-violence is a mere chimera and that it is too idealistic an ideal to be

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realized. I have only to show them how the hostile Attila the Hun and Alaric the Goth had been driven away by undefended Rome by the moral force wielded by the Popes. Therefore I have not lost faith in non-violence, not only for securing the national freedom but also for protecting that liberty.

"There are two more difficulties which are of a practical nature. We are told that we have not enough of money to start universal physical education, which, I consider as a teacher, apart from an academic discussion, is more important. But, for that there is no money. Are we going to invest large amounts of money on military training, which is required either for defensive or aggressive purposes of our nation? It is only after a course of physical training of our young men and making them fit for military training, that I can welcome the move, even if necessary, to start military colleges. I appreciate the sentiments of my brother Parliamentary Secretary, who spoke in his individual capacity as a member of this House.

"Lastly, if we have a nation physically well developed, it is possible to have a separate military caste. By all means let us have a separate class of men fitted for military purposes like the Sikhs and the Gurkas; let us have a separate class of men like the Rajputs, specially made fit for military purposes. But, in that effort, let us not interfere with the intellectual study and the academic career of our young men. Let there be one particular class of men specially made fit for a particular purpose as our ancients wisely did. Our ancients declared that there should be a particular class fitted for religious worship, one particular class for trade and commerce and another particular class for military purposes. This principle of division of labour has been kept up by our ancestors. Let us not foolishly try to do away with that principle. It is not every boy who is born to be a soldier and is fitted for military training; it is not every boy that can be a Gurka, and it is not every boy that will have the fiery spirit and martial talents of a Rajput. Talents differ; aptitudes differ from man to man. There must be a certain amount of background for military training; that is, there must be a good physical training beforehand. I only want that the academic career of our youths should not be interrupted by a course of military training. I have no objection to their undergoing—I mean those who have a special aptitude for it—a military course. I am positively against their professional education or academic career being distracted or interrupted by a military course of training.

"For these reasons, rather difficulties, fundamental as well as practical, I do not see my way to wholeheartedly support the resolution which has been moved so enthusiastically by my hon. Friend over there, and ardently supported by my other hon. Friends.

"I believe, here we have an important issue, and I do not like that the House should take its decision without understanding the implications thereof. Just turn to the question of the future of our education. We are told that we are to have the Wardha scheme shortly. We have been told what its implications are. The question has been discussed from all its aspects; there are opinions both for and against it; some are pessimistic and some are very optimistic. We have been taught the principle of non-violence for the past so many years. Now the question is, 'Are we to have a University education which is in contradiction with the ideal, that is permeating the lower grades of our educational courses?' So, on all these grounds I cannot support the resolution as it is. Even if it be found absolutely necessary that our young men should have military training, even if it be found that college students and high school students should undergo military training, it should not intervene in their academic career. Let them leave their colleges after their studies, let them finish their courses in the colleges or high schools; and then if their inner call is for a military career, let them take to it; or, if their inner call is to work in the field of agriculture, let them take to it; or, if their inner call is for the teaching profession, let them take to it. If that is the plan of education that this resolution envisages, I shall be the first and foremost to heartily support it."

* SRI R. RAGHAVA MENON:—"Sir, I have lost myself in the wilderness of the discussion here. The simple question that is before the House as a result of the resolution moved by my friend, Mr. Ramaswami Mudaliyar, is that this Assembly recommends to the Government that it is necessary to take immediate steps to give military training to the college students and to that portion of the civilian population who are willing to undergo that training. This question is a very simple one. It need not involve us into discussions of violence and non-violence, whether war or any invasion among nations is good or not, whether there must be re-armament in the world to-day and what should be our attitude towards those questions. The question is: Is it necessary for this Assembly to recommend to the Government whether our college students must be given all facilities to have compulsory military training and whether it is also necessary for the Government to provide facilities for those who are willing to undergo military training, I mean among the civilian population? If that is necessary, apart from other questions, at the present day, let us straightaway consider that question. To-day what is the condition of our country? It is non-violence which the Congress has taken as one of its cardinal principles. Does that mean that our young men should not have military training? Does that once for all assure us that in our country military training for young men will not be necessary? What is the present state

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of the world? Are we immune from attacks from our enemies; are we immune from attacks from foreign powers? Are not a number of young men, however limited their number may be, useful for the purpose of defending our country when it is attacked? Are we free from danger from Japan to-day? Are we free from danger from other aggressive countries? It is true that there is the Government; they may take measures of defence. But are we not aware, all the same, of the helplessness of the people in our country? If so, is it not necessary, apart from the question of developing a good national physique, that there should be military training for our young men? And is it not necessary that at least something should be done to be prepared for any emergency? This Assembly expressed its opinion last year in asking the Provincial Government to consider the question of giving some sort of training for our population by having a Provincial guard. What is the use of confusing this issue with other larger questions? My friend said that military training could be given only to those who have a good physique. Is that an argument against this resolution? There is no use in saying that because we follow the policy of non-violence, we will not have to defend our country against armed attacks. So, whether a country pursues a policy of non-violence or violence, it has to prepare itself as matters stand to-day, against invasion, by giving military training to its young men. We have no right to confuse the issue by going into the question of the world as it is to-day or by going into the history of our nation. So, I say, it is absolutely necessary for us to be ready for defending our shores, in case of an invasion, which is not unlikely to happen.

"Certainly we must concede that to-day we are helpless. 6–4[illegible] p.m. My hon. Friend, Mr. Varadachari, said that strong nations should settle their disputes not by wars. Did not our country know fighting in the past and could we eliminate war in the world of to-day? It is impossible. I fully agree with the Congress party to which I belong. It has got non-violence as its creed. But still when self-defence and defence against attacks from foreign nations are taken into account, we cannot eliminate from the modern world a bit of military training. The highest religious teaching that we have got in the Bhagavad Gita says that we must fight when fighting is necessary. Self-defence is absolutely necessary. So ancient India did not eschew completely all war. But the philosophy of non-violence is being developed and certainly ought to be developed. We do not want aggressive wars. We do not want other people's country; we do not want to fight among ourselves. But, all the same, we must defend our country.

"But there are practical difficulties. There I agree. The scheme to give military training to college students is very difficult..

We have to find provision for it in the college curriculum. If the University will agree, it is a very good thing to give at least 7,000 students a year in our Presidency the military training necessary for defence. It is highly necessary that the Government must give this training to young men outside college, and military colleges should be established for them. There is no danger of our taking to war. These young men do not constitute any army. Now, do our people know how to handle rifle? Why not teach them how to do it? There is no question here of an immediate conscription to fight other nations. There is no fear of losing our spirit of non-violence. All that we want is let us give military training to our young men. That is necessary and the Government will find that we have done a very wise thing when occasions arise which are not improbable. So it is not absolutely necessary to confuse the issue. When we are sure that no war will happen in future, then, there is no necessity for military training and in that case, as Mr. Varkey said, we want only physical training. That is quite a different thing. So this Assembly will be doing a right thing if it agrees to this resolution that as far as possible military training ought to be given to the civilian population and certainly to all students of colleges. This resolution is highly necessary apart from national prestige. What will be the condition supposing only one bombing æroplane passes over our country? Supposing there are a number of military-trained people, that will be a source of strength to our country to avoid confusion in such difficult times. Further that will open the eyes of the other countries that there are people here who know what an attack is and our people will be bold. People won't get confused and they can help the regular army which will be a very nice and proper thing. After all we need not debate on this question as if it is a question of re-armament in this country. For centuries there has not been war in our country and there is no danger of there being a conscription. Let us have a bit of healthy training. They say non-violence is strength. But non-violence is not for the weak; they will not be able to use it. Let us be strong and then let us be non-violent. Non-violence does not mean that we must not defend our country. We must have strength to defend. There must be time for us to use non-violence in our defence. It takes time to convert an aggressive nation by non-violence. When the time comes we must defend ourselves. Let us hope that there will be no war and no one will conquer India. Though they conquer they will not be able to keep us because of our non-violence. A training is all the same necessary. So I support the resolution."

* THE HON. SRI C. RAJAGOPALACHARIAR:—"Sir, it would be wrong to say that the discussion has not been useful. All kinds of opinion in regard to the general principles involved as well as the particular questions that are embodied in this

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resolution have been discussed fairly thoroughly. Naturally, not having the responsibility or the duty of this particular aspect of Government, members have swiftly taken the line of discussing the elementary principles involved. But were the duty of furnishing our own army to be there, I fancy, Sir, that the discussion would not have turned upon the evils of modern warfare or on the advantages of a pacifist training for all citizens. But we would have discussed how much money we had, whether it was necessary to do things and whether it was desirable to do them, whether we had money or not, and so on. But to-day we are in the happy position of having a fairly efficient army maintained behind our backs, so to say, and we could discuss general principles. (Hear, hear.) I am only explaining the apparent contradiction between the sentiments expressed by some members on the Government benches and some other members. There is no policy involved at all, and therefore it was perhaps that these differences of opinion were expressed on general questions.

"But I wish to remind hon. Members of what exactly is involved in the present resolution. It is quite true and no passionate condemnation or persuasion is necessary for us to accept the fact that modern warfare is an unmixed evil. There is no apology for it. There was some kind of justification in former days when people conducted wars and battles. Wars of modern times are an unmitigated evil. There is no doubt about it and the most experienced and the most enthusiastic militarists are agreed on this proposition that modern warfare is an unmitigated evil. Sir, it was not necessary for Mr. Varadachari or anyone else to take up the question of condemnation of modern warfare. We all know these evils only too well. But it looks unreal for us to refuse to do anything in this direction or to desire to do anything in this direction when as a matter of fact we are allowing a foreign army, so to say, being maintained at fairly adequate strength. That unreality is not good when in all matters we wish to be so real in our outlook. I do not pretend for a moment that we are now in this Province able to carry on without the use of force and all that we can pray for is that the prudence and patriotism of the citizens might permit us to use force in the wisest manner and to the least extent possible, and yet maintain the peace and commonsense of the country in proper order. Therefore I cannot accept the general points urged with regard to non-violence in this connexion. We must confess that we have not substituted our age-long methods of violence by something effective. It is not as if I give up the idea that it is possible. It is even probable for this reason, if for nothing else, that the whole world has got so tired of violence that it is extremely possible that human wisdom will substitute non-violence for this age-long evil. If it is probable in other parts of the world, it will be possible here also. Even now, people are not

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aware how much has already been substituted. It has been truly more so here than in the West. Even with all their armies they are depending more on non-violence than on violence. Even to-day with all their armies, which they are unwilling to take the risk of abolishing, they are steadily and slowly, though not swiftly, coming to the practice of non-violence.

"Therefore it should be possible, even in our country, for 7 p.m. internal and external purposes, and we must soon find a way to get rid of this incubus of violence. The resolution, however, wants us to recommend to the Government that it is necessary and desirable that immediate steps be taken to provide facilities for military training to all college students and other civilian population desirous of undergoing such training. I do not think that it is necessary to read into it the all-inclusiveness to which Mr. Nuttall raised a practical objection. The words 'to provide all facilities' are sufficient to make it bear the meaning which Mr. Nuttall sought to give it.

"Then, the emphasis in the resolution as well as in the speech made by the hon. Mover appears to me to be more educative than military. The Mover seems to feel and tried to emphasize that education is not complete unless first the body is looked after, and secondly, that the body is not only looked after, but made elastic enough and agile enough for the purposes generally denoted by the word 'military.' He appeared to look it up all, and many other members appeared to look it up all as a means of making the nation fit. No one can have a quarrel with that. We all know that our education, emphasizing as it does the intellectual part, is defective. We must, if we wish to complete that education, if we wish to make our boys and girls grow fit, add something to this education, and it is generally believed that military education, such as it is understood to be, would be given for that purpose. Hence the mixing up of college boys and others along with the general civilian population.

"Last year, in September, a resolution was moved by Mr. Basheer Ahmed on an allied subject. It was treated exactly in the same manner as the present resolution has been treated. (Mr. Hameed Khan: 'Will be treated.') This subject, therefore, is not new. It has been felt, even before the present Assembly was constituted, on many occasions. The subject is not Provincial, unless it is looked upon as educational. The subject is not Provincial and the subject is not easy. It involves, if nothing else, if no question of pacifism is taken up in this connexion, if no question of the Central Government is brought into this question, an amount of expenditure which makes it practically impossible as we are situated to carry it out. That is the main objection. It is easy to adopt and approve of a recommendation, but it is

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difficult to carry out the terms of the recommendation, if we wish to be straightforward with the resolution that is adopted.

" Now, in order to provide facilities for what is called military training—a very heavy expenditure must be incurred. Military training is not exactly physical training, it is not just physical training or exercise, it involves not merely the wielding of sticks or of pieces of iron, but it involves the practice and the exercise in what is truly to be called military training. Therefore I am not overstating the fact if I say at once that it involves huge expenditure. If anyone wishes to criticize the Government on the ground that these resolutions are debated, supported and passed, but not carried out, I should tell him that it is not possible to provide in the present state of the finances of the Province such facilities. But the principle of a resolution like this can be accepted without demur. It is to be adopted not in all the details in which it is couched. But if we find the resources and if we find the support, either voluntary support or tax-payers' support, it is a good thing to adopt this resolution.

" There is another aspect in which the resolution may be adopted and may be supported by the Government. It is this: that if we are so placed in a Provincial Government that we are asked to go along without taking any share in the defence of our country, it is not only a shame, not only a disgrace, but it is also an impossible thing as time progresses. It is not possible to limit responsibility in this fashion. It is necessary that the nation should progress and that the Province should progress, and it is not possible for us to progress unless we take a share in our own defence. This Province has often expressed its resentment at the Madras Regiments having been disbanded, and it has often referred to ancient admissions—clearly expressed admissions on the part of those who know—that this disbandment of the Madras Regiments was not justified, was not done on account of any reasonable defect pointed out, but was merely a wrong step; and it has been claimed that this Province should have its due share in the army. This correct and just claim has been reiterated before. From the point of view of the Province as a whole, it is a just claim on our part that we should ask and demand our natural and proper share in the defence of our country being given to us. In that sense this resolution is perfectly justifiable. It may be that as the defences are now being organized, distributed and arranged, we are not able to make the same rupee serve all purposes; but it is our right to demand that the defence expenditure of our country should also include expenditure in this manner in our Province, to enable our manhood to find its due share in the defence of our country, and to see that ultimately justice is done. Then it would follow that the boys in the colleges and the normal citizens should be in touch with the programme of the

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nation, and also be so educated as to be able to take one profession or another as occasion arises for his choice. With these observations I submit, Sir, that this resolution is acceptable. It would not do to find fault with particular passages in it. But the principle of the resolution, divested of the financial implications of it, is good. It is only in that way that a Government who are not able to pay for their own army, as we are now budgeting our income and expenditure, can accept this resolution. (Laughter.) It is not a matter which is merely amusing. It is always amusing to be helpless, but at the same time, if we are helpless on account of the activities of other Governments, it is not entirely amusing. It is a matter of importance that we should realize that the feelings of the House have been expressed unanimously time and again in favour of the people of this Province taking a due share in the defence of our country, that the financial arrangement is not made suitable to this aspiration, that the financial arrangement should therefore be altered and that adjustments should be made so as to provide for the manhood of our Province taking an equal share in the defence of our country. With these words I give my support to this proposition."

Mr. SPEAKER :—" I now put the question to the vote of the House."

* Sri V. M. RAMASWAMI MUDALIYAR :—" May I say a few words by way of reply? "

Mr. SPEAKER :—" I thought that after the Hon. the Prime Minister's speech the Mover would not claim the right of reply."

The resolution was then put and carried.

(2) LIMITING THE APPLICATION OF SCALES OF PAY ISSUED IN G.O. NO. 4619, L. & M., DATED 20TH OCTOBER 1934.

* H. S. HUSSAIN SAHIB Bahadur :—" Mr. Speaker, I move—

'*This Assembly recommends to the Government to issue orders immediately, limiting the application of the new scales of pay as per G.O. No. 4619, L. & M., dated 20th October 1934, only to entrants on or after 1st November 1934, and refixing the present pay of incumbents in permanent service and confirmed in the cadre prior to 1st November 1934 at what they would have been drawing, if the old scales were in existence, and enabling them to rise to their old maxima without taking into account the accumulated arrears of the past four years.*'

" Sir, in moving this resolution I know that I am not in the least embarrassing the present Government by asking them to modify the Government Order referred to in the resolution. The Government Order, Sir, which is dated 20th October 1934, was

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brought into force on the 1st November 1934 reducing the scales of pay of teachers in secondary schools under the local bodies. Sir, the most unfortunate thing about this Government Order is that it was made applicable to the old entrants as well, that is those teachers who were already in service before the 1st November 1934. It is on principle that I seek a modification of this Government Order. The Government Order should not have been made applicable to the old incumbents. Sir, even this Government who only recently adopted reduced scales of pay for their own servants have not made those scales of pay applicable to the old incumbents. Moreover, they have reduced the scales of pay of *only those who are drawing more than Rs. 100 per mensem.* When that is the case, there is no reason why the same principle should not be extended to the people coming within the scope of the Government Order referred to above. These teachers were in service before 1st November 1934. I request only a slight modification of this Government Order to enable these people to draw the old scales of pay. No doubt, Sir, retrenchment and economy are good, but they should not be introduced at the sacrifice of good and accepted principles.

" Sir, the Government Order was brought into force with 7-15 p.m.
such suddenness, that it fell as a bolt from the blue on the unfortunate teachers who were already in service. They were taken unawares. They entered service on a definite contract and with a sense of security and certainty that they would be getting the scales of pay which were in force when they entered the service. So when this Government Order was brought into force so suddenly about 12 days after it was passed, it was indeed a great blow to their high hopes and aspirations. It might be said that this Government Order has been in force for the last four years. But, Sir, I would say that, though the Government Order has been in force for the last four years, a continuous agitation has been kept up by the teachers, who have been hard hit by the effect of this Government Order. Even to-day there is a widespread agitation throughout the country and it would be but unfair if this Government, who stand for justice for the poor, the oppressed and the depressed, do not see that this injustice is set right. Sir, when it is urged that the Moplah Outrages Act is no longer required and that there is no justification for its remaining on the statute-book and for that reason it is repealed, I submit that a modest resolution like this which seeks only a modification of the Government Order could easily be accepted by the Government.

" Sir, the distinction made between the local board servants and the Government servants, I must say, is very deplorable. No such distinction should have been made especially when the Government have their own scales for the teachers under them,

I do not refer to the recently introduced scales of pay, but the old scales of pay. They were much higher than the scales contained in the Government Order under reference. Even the scales of pay which were recently introduced by this Government are much higher than the scales prescribed by the Government Order for the teachers under local bodies. When the services of teachers under local bodies are governed by the same fundamental rules and service conduct rules as those of the Government servants, according to G.O. No. 2342, L.S.G., dated the 2nd June 1936, I do not see why this class of teachers who are serving under the local bodies should be treated differently. Sir, there has been a very long standing agitation kept up by the teachers themselves and the Government cannot ignore this fact. Then, Sir, when the Government Order was put into force on the 1st November, it was found subsequently necessary to modify it to some extent by raising the pay of the pandits. This act on the part of the Government increased the heart-burning and the agitation amongst the other classes of teachers. There was no reason why the pandits should have been treated with some consideration, while the other teachers were not shown any consideration at all, by their pay being raised. With all respect to the pandits, I must say that other classes of teachers are doing their work as efficiently, if not more, as the pandits; and their task is not less arduous than that of the pandits. The starting pay of the pandits was raised from Rs. 30 to Rs. 45 and the maximum from Rs. 40 to Rs. 75. When that was the case with reference to the pay of pandits, I do not see any reason why the pay of other teachers should not also have been raised. These are the reasons which I want to urge on the Government to show what an invidious distinction has been made as between teachers in Government service and those employed in the service of the local bodies. The invidious distinction which was made between the pandits and the teachers of local bodies added to the agitation and heart-burning of the latter.

"Then, Sir, it was found that under this Government Order some teachers, who had already reached the maximum prescribed for them according to their original scale and gone beyond the maximum of this Government Order, were found to be getting more pay than the maximum prescribed under this Government Order. In such cases it was decided that the difference should be treated as personal pay. I do not see any reason why the old entrants also who were already drawing a higher scale pay should not be allowed to draw the same scale of pay in future. It is not yet too late for the Government to set things right. There has been a continuous agitation, and if this Government seriously consider the state of affairs prevailing in the country and do what they can to meet the demands of a large and influential body of people, I feel sure that they will be doing only bare justice to

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this body of teachers. Moreover, this Government Order has not achieved the object of standardization. Even to-day, there is no uniformity of pay, especially personal pay in the various local bodies in the Province.

" Sir, I do not have much to say further on this matter. But one thing more I would like to say before I finish. I understand that the local bodies were not consulted before this Government Order was issued. I do not know if the Director of Public Instruction had been consulted on this matter. But if they had been consulted, we do not know what opinion they would have given. Many local bodies are supporting the cause of the unfortunate teachers. I would therefore submit, that it is never too late to mend, and this is a matter which needs mending during the regime of the present Government. Therefore, Sir, I commend the resolution for the acceptance of this House."

* K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—" Mr. Speaker, I always take very little time and am always very brief . . ."

MR. SPEAKER:—" You say you are always very brief. Does it mean that you want more time to speak on this resolution? "

* K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—" Sir, I shall try to finish within five minutes."

MR. SPEAKER:—" There is no question of trying; it ought to be finished in less than five minutes. The maximum time allowed for any hon. Member to speak on this resolution to-day is only five minutes."

* K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—" Sir, I will abide by the time restriction placed by you.

" If I rise to second this motion, it is with a view to add one or two things to what has already been said by Mr. Hussain. He has pointed out that this Government Order was suddenly thrown upon the teachers employed in municipal and local board schools and that it has been working a great hardship upon them. Sir, it is not difficult for us to understand that the Government Order has been very painful in its results. It might be that the objects with which the Government Order was passed were very laudable, perhaps the object being to maintain a uniform standard of pay for all the teachers. But the object, though it was good, has not brought forth any useful purpose. We all know that representations have been made by these teachers through their associations, and I understand that this subject was also discussed on the floor of the House in the last Legislative Council. But all this has been in vain with the result that these teachers are discontented even to-day. Sir, just a close and brief study of the Government Order would point out the difficulties that the teachers are suffering from. We know that some of them were drawing

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fairly decent salaries before the Government Order came into force, but as a result of this Government Order their salaries have been considerably cut down. But for this Government Order they would have continued to enjoy their hard-earned increments.

"Another hardship that came out of this Government Order was this: these teachers are asked to be contented with a biennial increment. In the case of salaries of Government servants, annual increments are given on salaries of Rs. 50 and less. But in the case of these unfortunate teachers, they are asked to be contented with a biennial increment. Even to trained Intermediates this Government Order has done a hardship. They are classed along with S.S.L.Cs. Commercial and manual training instructors are also hard-hit by this Government Order. Their scales of salary originally were Rs. 55—5/2—70—5/2—95 and Rs. 30—3/2—45—2/2—55, respectively; but now the scale of pay for both is Rs. 30—2/2—45. Their maxima have been put far below what they were before, and even the maximum of Rs. 45 that has been fixed under the Government Order, they cannot hope to reach within a reasonably short period. With regard to L.Ts., I wish to say something, but as the time at my disposal is very short it is not possible for me to do so.

"There is one thing more which I wish to point out and with that I shall have done. It will be interesting to compare this Government Order with another, namely, G.O. No. 311, which was issued in respect of teachers employed in Government schools; a comparison of the two will show that the Government have been making an invidious distinction between the teachers employed under the local boards and those employed under the Government. According to G.O. No. 4619, the scale of pay fixed for the L.Ts. is Rs. 65—5/2—100, while according to G.O. No. 311, the scale of pay for the same people is Rs. 70—10/2—130; 140—5/2—200.

7-30 p.m. "According to G.O. No. 311, the scale of pay for secondary grade teachers is Rs. 30—3/2—45—2/2—55, but according to G.O. No. 4619, the scale of pay for the same class is fixed as Rs. 30—2/2—45. The scale of pay for Physical Instructors according to G.O. No. 4619 is Rs. 25—1—45; according to G.O. No. 311, it is Rs. 23—2/2—45 and Rs. 30—3/2—45—2/2—55. Thus there is disparity between the scales of pay fixed in these two Government Orders. It is rather unfortunate that this distinction should have been made between these two classes of teachers. After all, the work that these two teachers do is the same, and the qualifications they possess are also the same. There is no reason why a disparity like this should exist between these two classes of teachers.

"There is one more point I wish to bring to the notice of the House. The teachers employed in Government institutions enjoy certain privileges which are denied to the teachers working under

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municipalities and local boards. The teachers employed under the Government can hope to get promotion from one cadre to another; but unfortunately that privilege does not exist in the case of teachers employed under the municipal councils or local boards. Then there is the pension system for Government servants which is not available to teachers employed under local boards.

" Sir, matters like these should have attracted attention of the Government long ago, and they should have cancelled G.O. No. 4619 by now. It is unfortunate that the Government have not seen their way to do so. My hon. Friend, Mr. Hussain, and myself had given notice of this resolution several times but it could not be reached on previous occasions. The teachers should be really happy that this time we have been successful in bringing forward this resolution for discussion; and I trust that our young Minister for Local Administration will see his way to prevent any further hardship being done to the school teachers. With these words, I second the resolution."

* THE HON. SRI B. GOPALA REDDI :—" Sir, I have to oppose the resolution. This Government Order was passed on the 20th October 1934; as you are aware, Sir, neither I nor the party to which I belong, are responsible for the Government Order. Many years have elapsed and things are settling themselves. All of a sudden my hon. Friend, Mr. Hussain, has given notice of this resolution; and in came a flood of representations to the Government asking us to support the resolution of Mr. Hussain. I must at the very outset say that he has disturbed the equilibrium that was slowly establishing itself; the local bodies were adjusting themselves and the teachers were satisfied with the salaries they were getting. I may say, if I may be permitted, that Mr. Hussain has done a distinct dis-service to the teachers themselves by creating false hopes in them.

" The hon. Mover and the seconder of this resolution have taken this Government Order in particular, and they have pleaded that it should be revised and that the old scales of salaries should be given. They forget the fact that this Government Order is one of the series of Government Orders that were passed in the year 1934. In that year itself, the Government got an amendment passed to section 67 of the Local Boards Act by which they took power to fix the salaries and allowances payable to servants in local boards, to teachers in schools, to officers and servants. The salaries and allowances were so fixed that they could not be altered except with the previous consent of the Local Government. This amendment was passed in the year 1934 and a series of Government Orders were passed; the establishment of the public health department was standardized; the scales of pay of elementary school teachers, of secondary school teachers, and of the menial staff under local bodies

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were standardized. So, the whole scheme was an indivisible one. My hon. Friends have taken this particular Government Order and they ask for a revision of that Government Order. But what about the Government Order standardizing the scale of pay of elementary school teachers? I know of many taluk boards where the teachers were getting a pittance of Rs. 12 a month; under the revised Government Order they are given a salary of more than Rs. 15; they do not thank either this Government or the previous Government for retaining this revised Government Order. If you examine the figures and the expenditure involved by local bodies by the passing of the various Government Orders together, you will find that the increased expenditure would be about Rs. 5 or 6 lakhs. It may be that the local bodies gained a little by the lowering down of the salaries of secondary school teachers, but they lost enormously, by lakhs of rupees, by raising the scales of pay of elementary school teachers.

" I may also say that no particular policy or particular scale of pay was adopted by the different local boards. I am surprised that my hon. Friend Mr. Abdur Rahman Khan, though coming from Kurnool, does not know that the scale of pay then in force in Kurnool, was very much lower, lower than the scale of pay fixed in the Government Orders of 1934. This Government Order should not be taken as an isolated one; it is part of a general scheme standardizing the scales of pay of different branches of establishment under the local bodies; the public health establishment, the teachers' establishment, the ministerial establishment and other establishments were standardized.

" Then my hon. Friend raised the point whether local board services should be treated in a different way from Government services. This is not the first time the question is raised; this system has been in vogue for a long time. Local board servants have always been put on a different scale from Government servants. Take any class of servants, the menial servant, the upper division clerk, the lower division clerk, the assistant engineer, the overseer or the supervisor or any officer employed by the Government and by the local bodies; there is difference in the scales of pay; there is difference in the scale of pay for Government peons and local body peons; there is difference between the pay of the lower division clerk in the service of the Government and that of the lower division clerk in the employment of the local boards. This distinction has always been there, because it is due to the poor finances of the local bodies. The means and the income of the local bodies are not the same as those of the Government. So, the local bodies cannot be expected to give the same scales of pay as the Government; if the finances of the local bodies were so sound as the Government, they would also pay the same scales of pay as the Government.

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" If to-day we revise this Government Order, what would happen? Perhaps local bodies might have saved a few thousands of rupees by this Government Order; but they have started new schools, new middle schools, new high schools; these new schools have come into being because of this Government Order, because they could save a few thousands of rupees. If you revise this Government Order all these schools will have to be abolished, and there would be a wild uproar from those areas.

" So, Sir, things are slowly settling themselves down and there is no need to alter this Government Order; the teachers themselves are getting accustomed to these new ideas and the new policies of various Governments that have been working in this Province. I may be permitted to state that there was an adjournment motion moved on this matter in the year 1934, and the Hon. the Raja of Bobbili then answered all the objections and categorically denied any motive for making these changes or for making any invidious distinction between one class and another class of servants. He dealt with the points at length; he said he did not deny that there was difference in the scales of pay of local bodies' servants and Government servants. He used very strong words and perhaps my hon. Friends, Messrs. Hussain and Abdur Rahman Khan, can read them very profitably.

" The hon. Member, Mr. Hussain, stated that we revised a certain Government Order and gave increased salaries to pandits and munshis and that there is heart-burning. He has been saying perhaps that the Government gave increased salary to pandits and munshis, and that if the other teachers agitated, they would get increased salaries; therefore I think there has been heart-burning. That is not a correct way of looking at things. If we go to the help of the really needy people or those who have suffered, it does not mean that we should extend the help to all classes of people. I am prepared to say that wherever there were hard cases, they were brought to the notice of the Government and the persons affected were given personal pay to make up the loss. Thus there is no heart-hurning at all.

" It was stated that retrospective effect was given and that sanctity of contract was broken. When the Agriculturists' Deht Relief Bill or any other Bill was brought forward, it was stated that the sanctity of contract was broken. It was stated that the teachers were expecting increments in the usual course of events and that all of a sudden the Government said that there shall be no more increments and that they should not ask for more. When things change, when circumstances change, it is open to the Government to say, ' We want a uniform policy, we want standardization, we want a standard scale of pay for the servants of local bodies.' The Government found that some municipal councils and local bodies were giving advance increments all of a sudden; a

person gets three increments in the course of two years, without any reason being assigned. Such things must be stopped. I may say, Sir, that there was no heart-burning, no agitation except after this resolution was given notice of. I do not wish to take much more time of the House. The Government do not wish to disturb the financial position of local bodies; if we revise this Government Order local bodies will have to abolish a number of new schools. The salaries of elementary school teachers were raised; there will be a great hue and cry if their salaries are adversely affected. So, we cannot go back to the state of things that existed before the year 1934; we are now in 1938. With these words I oppose the motion."

The resolution was put and lost.

(3) URDU TO BE ONE OF THE MEDIA OF INSTRUCTION IN SCHOOLS.

7-45 p.m. * MAHBOOB ALI BAIG SAHIB BAHADUR:—" Mr. Speaker, I beg to move the resolution that stands in my name, viz.:—

> '*This Assembly recommends to the Government that in any scheme for vernacularization of studies in schools, Urdu also shall be made one of the media of instruction.*'

Sir, the object that this resolution has in view is to secure for the Muslim pupils the advantages which vernacularization of studies is intended to achieve. I presume, Sir, that the justification for a change in the medium of instruction from English to the mother tongue of the pupil is to be found in the many advantages that are derived from imparting education in the mother tongue of the pupil. Some of the many advantages which follow a change in the medium of instruction are in my opinion: firstly, that it will be easy for the pupil to acquire knowledge in his own mother tongue which is really the proper vehicle for attaining efficiency and knowledge, especially, as it has been felt that a foreign tongue like English is a great burden on the pupil and that he must be relieved from that burden; secondly, that the language and culture of a community will be preserved and improved. Sir, vernacularization of studies has a tremendous effect on the language and culture of the pupils of a community or even a nation. The object of vernacularization is really laudable, and by this resolution, I only request that the advantages I have mentioned may be extended to Mussalmans also whose mother tongue is Urdu.

" With regard to this matter, Sir, I addressed a personal letter to the Minister in charge of Education; but I regret to say that he had not even the courtesy to reply to my letter. It may be that he was too busy, but a letter from him acknowledging my letter would have satisfied me as a member of this Assembly. Hence, I had to give notice of this resolution.

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"As you know, Sir, in the Andhradesa, the Mussalmans speak Urdu in their homes and it is their mother tongue. In Madras and other Tamil districts, the Mussalmans generally speak Urdu. The elementary education of Mussalmans is given in Urdu and there is also a separate inspectorate. In hundreds of Muslim elementary schools, Urdu is the medium of instruction in the Andhra districts, and in most of the other districts also. As I said, a separate inspectorate also has been created, whose members are all Mussalmans, to supervise these Muslim elementary schools. A separate training school also has been established for training elementary and secondary school teachers. Since twenty years ago, when vernacularization of studies took place in the lower forms up to the third form, the medium of instruction for Mussalmans has been Urdu. As the mother tongue of Mussalmans generally in this Presidency is Urdu, separate secondary schools for Mussalmans also have been started and they are in existence now in Guntur, Vellore, and other places; and in these schools, Urdu has been the medium of instruction from the very inception; up to the third form most of the Muslim children are being educated in Urdu. That is the medium of instruction for Muslim children in most of the schools at present.

"Now, Sir, the effect of the introduction of vernacularization of studies is this: in the Andhra districts, Telugu alone is the medium of instruction in several schools. As I said, in the elementary schools, the Muslim children are taught all the subjects in the Urdu language up to the third form, and they are now asked to study in Telugu in the higher forms, i.e., fourth, fifth and sixth forms. Is it possible for the Muslim boys who have been studying up to the third form in Urdu, to study all the subjects in Telugu in the higher forms and appear for the examination? The principle of vernacularization of studies is very, very good on the ground that a pupil, if he is to acquire knowledge, must be taught in all subjects in his own mother tongue. Therefore, Sir, we urge that the Muslim boys should be given facilities to study all subjects in the Urdu language.

"Sir, it may be said that if Muslim boys are in sufficient numbers, the Government will have no objection to have Urdu as the medium of instruction in such schools. I know there is some practical difficulty in this matter. It is not always possible to get sufficient numbers of Muslim boys in every school to warrant a separate section for teaching in Urdu. I know that; but my submission to the House is this: at least there may be one or two centres in each district where Muslim boys who want to be educated through the medium of Urdu may go; or at least in some centres like Bezwada, Masulipatam, Rajahmundry, Guntur, etc., where the Muslim population is not very mnch, we may have one or two centres; but in the Ceded districts where the Muslims are in sufficient numbers, I do not think thre can be any difficulty in having

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separate sections for Muslim boys for imparting education in Urdu. I may even go a step further and say that even if it is a little more costly, the Government must not grudge to spend money over the formation of these separate sections. Sir, the words of the Hon. the Premier are still ringing in my ears, viz., that in the case of the Mussalmans this Government are going to spend money like water. I submit, Sir, this is a very good opportunity for the Government to do so and to show that they really mean what they say. Sir, vernacularization of studies is very important for all communities and it is also important for Mussalmans. There cannot be a more important thing for Mussalmans than getting education and acquiring knowledge in their own mother-tongue. Therefore, I say, here is an opportunity for the Government to show that even if it is going to be a bit costlier, they would spend the necessary money on this purpose. Another important thing is this . . ."

MR. SPEAKER:—" One minute more."

* MAHBOOB ALI BAIG SAHIB BAHADUR:—" I shall finish in five minutes more, Sir.

" What we Mussalmans have been fighting for is not so much political freedom or political rights, as cultural freedom, linguistic and religious freedom. Let this Government bear this in mind and infuse in us a confidence that although we are in a minority, our cultural rights, linguistic rights, are safe in the hands of this Government. As I said, the culture of our community will also be affected if our children are taught in a language different from our mother-tongue. That does not preclude my community from learning the language of the locality. It might be treated as a compulsory language.

" These are the difficulties, Sir, which we have been feeling, and I expect this Government will consider this matter favourably and accept Urdu also as one of the media of instruction."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" Mr. Speaker, my hon. Friend, Mr. Mahboob Ali Baig, in moving the resolution has made out a very clear case for making provision for the education of Urdu-speaking boys and girls in our Province through the medium of their vernacular. I do not think that any one here is opposed to the policy of vernacularization. In our Province, at any rate in some parts of our Province, difficulty arises wherever two or three languages are spoken. One community has for its vernacular Urdu, while another has for its vernacular Telugu. The problem is more difficult in the Andhra districts where Mussalmans generally have Urdu as their mother-tongue. As a matter of fact, the Government have for a very long time recognized that fact, and on that account, they have made provision for the education of the children of the Muslim community at least in the elementary stages through the medium of Urdu, and they have provided separate Urdu elementary

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schools for the education of Muslim boys and girls. Now, all of a sudden, by adumbrating the policy of vernacularization in higher schools, the Government have called upon boys and girls who have received their earlier education through the medium of Urdu to complete their higher education through another medium; that seems to me, Sir, to be a very difficult problem. The Government, if they want the boys who have received their education through the medium of one language to be properly educated in the higher schools, should make provision for higher education through the same medium and that medium alone. If the Government think there can be only one vernacular in one part of the Province such as the Andhradesa, and that all boys in that area should take one vernacular and one vernacular alone as the medium, then it will take a good deal of time for the Mussalman boys to go through their education if they are asked to adopt one language as the medium in the earlier stages and another in the stage of higher education.

" Sir, I suppose that in course of time even Muslim boys might take np Telugu as their vernacular for purposes of education. Till that time, it is not proper that such a large number of boys and girls who have been educated in various Urdu schools with Urdu as their medium, however much they may be efficient, should be made to continue their education in the higher classes through the medium of Telugu, simply because no provision has been made for higher education through the medium of Urdu. Now, in regard to this matter, I am afraid that in the Andhra districts there is a great deal of agitation and people are very much perturbed, at any rate in Bezwada and in some parts of the Circars. So, Sir, in order to see that a particular section of the people of the Province are not affected in their education, I am sure the Government will, for at least some time to come, make provision for the ednoation of these boys, even though it might mean some extra cost to the Government, because they have all along been educated in Urdu, and so they must be enabled to complete their education in Urdu only. I have, therefore, great pleasure in seconding the resolution." 8 p.m.

(Khan Bahadur P Khalif-ul-lah Sahib Bahadur rose.)

Mr. SPEAKER:—" I think it would be convenient if the hon. Member speaks after hearing the statement of the Hon. Minister, because we shall know what the policy of the Government is on this question. But, if the hon. Member wants to speak now, I have no objection."

* Khan Bahadur P. KHALIF-UL-LAH SAHIB Bahadur:—" I shall not take much of your time, but shall finish in two or three minutes. Mr. Speaker, I thank you really very much for allowing me to speak on this subject. After hearing the speeches of the hon. Mover and the seconder of the resolution, I have got only one argument more to urge on this question; and it is this.

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We have been hearing very eloquent speeches both in this House and outside, to the effect that both Hindi and Urdu are one and the same thing and that the Mussalmans ought to welcome the compulsory Hindi movement of this Government. I have been in great doubts whether these two things are the same, and whether the present move is for popularizing the Urdu language at all. Now, Sir, here is an opportunity which the Government could take advantage of. The question of Urdu in the scheme of vernacularization may be taken up and considered favourably by this Government. I think, if really the motive of this Government is in support of Urdu, they may also consider this question very favourably and adopt this measure. And, the whole question of cost and things of that sort need not stand in the way of the Government in this matter; because after all, it won't be very much when compared to the actual cost that is being incurred in the matter of compulsory Hindi. As I do not want to take any more time of the House, I support the motion before the House with these few words."

* M. AHMAD BADSHA SAHIB Bahadur:—"Mr. Speaker, I have very great pleasure in supporting this resolution. I have experience, as the Secretary of the Muhammadan Educational Association of South India, on this very same question, for I had several letters addressed to me about the medium of instruction followed in the schools where Muslim boys are taught. I do not know as to why a resolution of this kind should have been brought forward at all but for the indifference that might have been shown by the policy that has been adopted by the Government. We are not here reiterating any new policy or postulating any new doctrine. It has already been accepted as a principle by the Government themselves that the medium of instruction should be the mother-tongue. When this principle has been accepted and in fact followed in the case of all elementary institutions where Muslim boys are taught through the medium of Urdu, I do not see any reason why the same facility should not be extended to students in the secondary institutions also. Even apart from this, I think this policy of adopting Urdu as the medium of instruction was followed even in earlier days, and in almost every Muslim elementary institution Urdu is even now made the medium.

"But, the difficulty that is now experienced is that when Urdu is the medium of instruction in elementary schools, why it should not be the medium in the secondary schools as well. Probably, the Government may have some reasons as to why they have not been able to follow this policy, but whatever it may be, they cannot deny that that should be the policy and that Urdu should be adopted as the only medium through which the Muslim boys should be given education. Sir, the only argument that might probably be advanced—and I should not anticipate the Hon. Minister for Education—is the paucity of Muslim boys that could

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be put into a class for being given instruction through the medium of Urdu; but that does not seem to be an adequate reason, because what has been adopted as a policy has to be given effect to by some arrangement or other. Probably, some arrangement might be made as was suggested by my hon. Friend, Mr. Mahboob Ali Baig, that at least in certain centres, such institutions might be started where a number of boys may be brought together and made to study through a medium which is admittedly their mother-tongue. When that principle has been conceded, it has to be carried out in spite of any inconvenience that might be felt by the Government in the case of a minority community and I do not see why matters of detail should stand in the way. I, therefore, heartily support this resolution.

BASHEER AHMED SAYEED SAHIB BAHADUR:—" Sir, this question of the medium of instruction raises fundamental issues which go to the very root of the re-organization of the entire elementary and secondary school system. Unless the Government are prepared to tackle the problem and overhaul the entire system of secondary education, I do not think they will be in a position to give effect to any of the demands that educationists have made from time to time. So far as the medium of instruction in the elementary schools in the Tamil districts and Malabar is concerned, to my knowledge, the language is already the mother tongue, but I have not got much experience of the Telugu districts, but the medium of instruction in the elementary schools is the mother-tongue, that is, the language of the locality.

" Now, Sir, secondary schools are owned by local bodies and municipal councils, but the Government are giving them guidance and that guidance is followed as far as possible by the district boards and the municipal councils. The Government do not own any elementary schools, much less do the Government own any secondary schools. In the secondary schools, the policy of the Government is to give the lead that vernacularization should go on apace. But then the point is, that the Government are not owners of those institutions. There are private managements which come in, and probably on account of financial difficulty, they are not able to provide for instruction through the medium of the language of every community that lives in the locality. The question resolves itself into this. The Government should open certain Urdu schools in some of the Telugu, Tamil and Malayalam centres, not for Muslim boys alone, but for all those who want to seek knowledge through the medium of Urdu. So, that should be the policy I would urge on the Government. Even in the City of Madras, let there be such schools. I do not know whether the Muslim community will be agreeable to that. It will be rather difficult. There are already various denominations of schools and they are intended for separate communities, although there is one college owned by the Government, and that is the Muhammadan

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College, which allows all people, whether Muslims or Hindus or any other community to seek instruction provided they conform to the requirements of that college. Similarly, every institution, whether great or small, should be established on that basis, and not on the basis of the religion of any community. I would only suggest that the Government should have these institutions to conform to certain lines and institutions under private management must also fall into line with the Government institutions, and then only anything effective can be done.

" So far as vernacularization has been made optional, there has been fairly good progress, and, as a matter of fact, the Urdu language is not spoken by the Tamil-knowing Mussalmans; it is not spoken by the Malayalam-knowing Mussalmans; no doubt, a larger percentage of the people have taken to the Urdu language. The point, therefore, is that we should strive for the spreading of the Urdu language in a greater degree. Whether it is written in Nagari script or the Persian script, it makes no difference. What we have to see is that the language spoken is the language written. We must aim at bringing in a spoken language for all places. In regard to text-books, it does not matter, whether they are in the Negari script or the Urdu script. Our object is to encourage the language and if that is done, there will certainly be no difficulty with regard to text-books. Managements themselves will not find it difficult, because the same teacher teaches; so that the entire thing goes and knocks itself against the question of finance, that great rock against which anything can flounder. Of course, that has to be supplemented by the Government. Our appeal should be that the Government should spend more and more money for instruction being given in institutions on the basis of the language, and I would urge that aspect upon the Government to be considered seriously, and that the Government should set apart larger and larger funds for this purpose."

* THE HON. DR. P. SUBBARAYAN :—" Mr. Speaker, in the first place I want to apologize to my hon. Friend, the member representing the Muslims of Kistna, for his not having received a reply from me to his letter. My correspondence has been increasing from day to day and I am not able to keep up to what has to be done; I must therefore, apologize to him for not replying his letter. The hon. Member has already put down a question and the reply to that question has been sent to the Legislative Assembly Office and in course of time, he will know exactly what I have said in reply to the question he put. I also want to state, Mr. Speaker, that any movement, however good it may be, can be frustrated by bringing up difficulties arising out of the multiplicity of languages, faiths or customs and manners prevailing in our country. But, I hope that good sense will in the end prevail.

" Sir, it is about ten years ago that the then Minister for Education introduced a scheme by which students in high school

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classes could answer through the medium of their mother-tongue, in examinations conducted by the Government, especially the Secondary School-Leaving Certificate examination. Taking advantage of that order, there are now as many as 194 schools in this Province which have already begun to teach through the medium of the mother-tongue, or the language of the locality, if I may say so. About the month of March this year, the Government issued a press communiqué announcing their intention of providing for a more extended use of the mother-tongue. They expressed a desire that as far as possible in the school year 1938–39, all high schools in uni-lingual areas—my hon. Friends will note the term 'uni-lingual areas'—should begin the use of the mother-tongue in form IV and continue to use it in the successive years in forms V and VI. It was anticipated that there would be difficulties in the case of schools in bi-lingual or multi-lingual areas. They have, therefore, been given some time to adjust themselves to what I would call the language of the locality. My hon. Friend representing the Muslim Constituency of Madras City said that he was prepared in course of time for the introduction of the language of the locality, but that for the present in order to let themselves adjust, we might allow instruction through the medium of Urdu. The hon. Gentleman violently nods his head. I carefully listened to him." 8-15 p.m.

MR. SPEAKER:—" The Hon. Minister need not take notice of nods."

* THE HON. DR. P. SUBBARAYAN:—" Thank you very much, but very often nods do mean something but with your ruling I would not take notice of it."

MR. SPEAKER:—" The Chair cannot take notice of these things, either."

* THE HON. DR. P. SUBBARAYAN:—" I listened to him very carefully and he did say that some time should be allowed to the communities to adjust themselves to conditions that were prevailing when instruction through the medium of the language of the area will become the order of the day. My hon. Friend representing the Muslim Constituency for Kistna said that Urdu should also be made one of the media of instruction along with other languages. He was obviously inspired by the communiqué that has been recently issued.

" The wording of the resolution, as far as I can understand it, seems to suggest that instruction in Urdu is not permitted. I want to correct this assumption of the hon. Member. I want to tell him that such an assumption is not warranted by facts. According to the latest report of the Commissioner for Government Examinations, who conducts the Secondary School-Leaving Certificate Examination, question papers in the following subjects were actually answered in Urdu by some pupils in the last examination, viz., Elementary Mathematics, English History and

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Elementary Science. It is also a fact that where the strength of pupils who speak Urdu warrants the opening of separate sections in forms IV to VI with a provision for teaching in Urdu, it has been permitted by the Director of Public Instruction. But where it is not practicable to make such a provision, pupils whose mother-tongue is Urdu, have been permitted owing to the difficulty in multi-lingual areas, to answer the question papers in English. It is not, therefore, right for the hon. Gentleman to say that Urdu has been ignored in any scheme of giving instruction in the mother-tongue.

" I would also like to point out to the hon. Members who have spoken on this resolution that the intention of the Government *is, as far as possible, to save boys of tender years from going* through the torture of instruction in a foreign language and to substitute for English as the medium of instruction for boys from 12 to 15 years of age, the spoken language of the area in which the school is situated. The boys would not find it difficult to follow teaching in the language of the area in which they have lived and must continue to live. But, Sir, if there is a sufficient number of pupils in any school and if there is sufficient agitation, (I do not know if I may use that word, perhaps I am wrong in calling it agitation)—if there is a desire (Mr. Hameed Khan: ' Demand ') Yes, I thank you very much—if there is a demand on the part of parents that such instruction should be given, the Government will try to do what they can, even though I make no promise on this occasion. I shall end with this request to hon. Members and that is that in times to come they will find that the local language will come to play a more important part than either English or any other language and, therefore, it is very important that as far as possible, instruction should be in the language of the locality rather than in any other language. In view of what I have said, Mr. Speaker, I hope the hon. Gentleman will withdraw his resolution."

MR. SPEAKER :—" What does the Mover say? May I put the resolution to the vote of the House? "

* MAHBOOB ALI BAIG SAHIB BAHADUR :—" In view of the assurance given, my friends desire me to withdraw the resolution."

The resolution was by leave withdrawn.

MR. SPEAKER :—" I think we need not proceed with the other resolution[a]."

The House then adjourned to meet again at 3 p.m. the next day.

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[a] BASHEER AHMED SAYEED SAHIB BAHADUR :—(4) This Assembly recommends to the Government to take early steps to enact necessary legislation for instituting a suitable machinery for the collection and proper administration of ' zakat ' in accordance with Islamic Law in this Province.

APPENDIX I.

[Vide answer to starred question No. 389 asked by Sri A. Vedaratnam Pillai at the meeting of the Legislative Assembly held on the 7th December 1938, page 501 supra.]

I

Statement of Income and Expenditure of the Ports of Topputturai and Point Calimere for the past five years from 1933 to 1938.

Years.	Income. Under ports dues acts, etc.	Income. Under wrecks, flotsam, etc.	Income. Total.	Expenditure. Port dues commission paid to Customs department.	Expenditure. Charges under wrecks, flotsam, etc.	Expenditure. Charges under departmental establishment.	Expenditure. Total.	Remarks.
	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	
			(1) *Topputturai.*					
1933–34 ..	8 4 2	90 0 0	98 4 2	1 9 1	..	..	1 9 1	*General*— (1) This port with Point Calimere as subport was placed for the first time under a Departmental Port Conservator from 9th December 1937. (2) Point Calimere was a subport under Topputturai since the year 1932, and separate figures available for the former have been furnished.
1934–35 ..	13 10 11	173 2 0	186 12 11	2 10 6	19 11 0	..	22 5 6	
1935–36 ..	31 2 11	117 0 0	148 2 11	2 3 5	..	..	2 3 5	
1936–37 ..	22 1 8	37 14 0	59 15 8	4 14 2	..	..	4 14 2	
1937–38 ..	20 0 1	..	20 0 1	3 5 5	..	* 286 7 0	289 12 5	
Total ..	95 3 9	418 0 0	513 3 9	14 10 7	19 11 0	286 7 0	320 12 7	
			(2) *Point Calimere.*					
1933–34 ..	..	5 4 0	5 4 0	..	..	..	..	
1934–35 ..	5 0 0	170 12 0	175 12 0	..	..	..	..	
1935–36 ..	1 0 0	..	1 0 0	..	..	..	..	
1936–37 ..	1 0 0	..	1 0 0	..	..	..	..	
1937–38 ..	15 0 0	..	15 0 0	..	..	..	..	
Total ..	22 0 0	176 0 0	198 0 0	..	.	..	..	
Grand total, Topputturai and Point Calimere.	117 3 9	594 0 0	711 3 9	14 10 7	19 11 0	286 7 0	320 12 7	

	RS. A. P.
* Pay of Establishment, allowances, etc.	137 10 0
Other charges (including contingencies, rents, rates, taxes, stores, etc., till 31st March 1938)	148 13 0
Total ..	286 7 0

II

List of the Cargoes that are being exported and imported through the ports of Topputturai and Point Calimere for the past five years from 1933 to 1938.

Years.	Export.			Import.			Total trade.		Remarks.
	Cargo.	Quantity.	Value.	Cargo.	Quantity.	Value.	Export.	Import.	
		TONS.	RS.			RS. A.	RS.	RS. A.	
1933–34 ..	Firewood—Casuarina 23 Lunamidella logs.	Not known.	1,965	Lunamidella logs.	Not known.	1,480 0	1,965	1,480 0	Export. Lunamidella logs.
1934–35 ..	Firewood Casuarina ..	151	1,948	Do.	Do.	741 12	..	..	The Lunamidella logs mentioned are constituent parts of the raft that sailed out.
	Lunamidella logs ..	16	700	Do.	Do.	..	2,648	741 12	
1935–36 ..	Firewood Casuarina.	168	2,520 + 70	Do.	Do.	974 8	5,090	974 8	
	Paddy—550 bags, 1,100 maunds.	..	2,200	Do.	Do.	..	..	..	
	Lunamidella logs ..	6	300	Do.	Do.	..	..	..	
1936–37 ..	Firewood—Casuarina.	277	1,999	Do.	Do.	928 12	..	..	
	Lunamidella logs ..	20	315	Do.	Do.	..	2,314	928 12	
1937–38 ..	Firewood—Casuarina.	378	2,674	Do.	Do.	710 0	..	..	
	Lunamidella logs ..	8	400	Do.	Do.	..	3,074	710 0	
						Total value ..	15,091	4,835 0	

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APPENDIX II.

[Vide answer to starred question No. 400 asked by Sri M. Doraikannu at the meeting of the Legislative Assembly held on the 7th December 1938, page 506 supra.]

TIRUMALAI-TIRUPATI DEVASTHANAMS, TIRUPATI.

Statement of Receipts and Expenditure from fasli 1343 (1933–34) *to* 1347 (1937–38).

Serial number and fasli year.	Opening balance.	Total receipts.	Total.	Total expenditure.	Closing balance.
	RS.	RS.	RS.	RS.	RS.
1 Fasli 1343 (1933–34) ..	1,21,921	10,29,427	11,51,348	10,82,918	68,430
2 Fasli 1344 (1934–35) ..	68,430	12,51,145	13,19,575	10,24,899	2,94,676
3 Fasli 1345 (1935–36) ..	2,94,676	14,09,454	17,04,130	13,25,213	3,78,917
4 Fasli 1346 (1936–37) ..	3,78,917	13,92,320	17,71,237	12,08,433	5,62,804
5 Fasli 1347 (1937–38) ..	5,62,804	11,60,242	17,23,046	11,97,560	5,25,486

THE MADRAS LEGISLATIVE ASSEMBLY.

Thursday, the 8th December 1938.

The House met in the Assembly Building, Chepauk, at three of the clock, Mr. Speaker (THE HON. SRI B. SAMBAMURTI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Expenditure on account of the preparation of electoral rolls for all the constituencies of the Madras Legislative Council, for 1938–39.

* 415 *Q.*—SRI D. RAMALINGA REDDIYAR: Will the Hon. the Prime Minister be pleased to state the amount of estimated expenditure incurred or to be incurred in the matter of revising and printing the electoral roll for the general and special constituencies of the Madras Legislative Council for 1938–39?

THE HON. SRI C. RAJAGOPALACHARIAR:—"The expenditure on the printing of the electoral rolls for all constituencies of the Madras Legislative Council during the annual revision in 1938 is estimated at Rs. 11,000. Figures for the expenditure on staff, etc., are not separately available as a common staff is employed for the revision of the electoral rolls for both the Council and the Assembly."

Precaution against air raids.

* 416 *Q.*—SRI D. RAMALINGA REDDIYAR: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether the Government have taken any steps for disseminating knowledge among the public about air raids and the precautions to be then observed by the public to avoid damage to person and property; and

(*b*) whether the Government will consider the desirability of informing the public about the matter referred to in (*a*) by publishing pamphlets in easily understandable languages of the Province?

THE HON. SRI C. RAJAGOPALACHARIAR:—"(*a*) Yes. Committees for the purpose are being constituted in certain possibly vulnerable areas.

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"(b) The matter is under the consideration of the Government. Government deprecate propaganda and questions that may needlessly create a state of alarm and injure the mental balance of nervous people."

Income realized on account of licence fees under the Sale of Cloth Act.

*417 Q.—SRI K. V. R. SWAMI: Will the Hon. the Prime Minister be pleased to state—

(a) the number of cloth shops for which licences were taken in 1937–38; and

(b) the income therefrom in the same year?

THE HON. SRI C. RAJAGOPALACHARIAR:—"(a) & (b) The hon. Member will be given the information as soon as reports are received and the statistics are available."

Number of licences issued and the fees realized under the Sale of Cloth Act.

*418 Q.—SRI K. V. R. SWAMI: Will the Hon. the Prime Minister be pleased to state—

(a) the number of licences taken during the current year up till now under the Sale of Cloth Act, 1937;

(b) how many under each head; and

(c) the revenue derived under each head?

THE HON. SRI C. RAJAGOPALACHARIAR:—"(a) to (c) The information will be made available to the hon. Member as soon as statistics are obtained."

SRI N. M. R. SUBBARAMAN:—"May I know, Sir, whether there is any improvement in the sale of handloom goods after this Act was passed?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"It is difficult to say, Sir."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I know, Sir, what the Government have been able to collect as a result of this Act?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"I have already answered the question. Clause (b) of the main question (No. 417) is that. And the answer is, the hon. Member will be given the information as soon as the reports are received and the statistics are available."

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Number of Harijans appointed to gazetted posts by direct recruitment.

* 419. *Q.*—SRI M. DURAIKANNU: Will the Hon. the Prime Minister be pleased to state—

(*a*) how many Harijans have been appointed to gazetted posts by direct recruitment after the establishment of the Madras Public Services Commission; and

(*b*) what the number of applicants for the same were from Andhra Harijans?

THE HON. SRI C. RAJAGOPALACHARIAR:—"(*a*) The information is as follows:—

1930	Nil
1931	1
1932	1
1933	1
1934	Nil
1935	3
1936	2
1937	2
1938	1

Three more candidates for three posts have been selected by the Commission in 1938 but they have not yet been appointed.

"(*b*) It is not possible to get this information."

SRI S. NAGAPPA:—"May I know, Sir, whether any Andhra Harijan was appointed?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"Clause (*b*) is that question, Sir. I have answered, it is not possible to get the information, because the classifications in the applications do not give any column for Andhra Harijans separately."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"In view of the fact that for some of these posts, candidates with the necessary qualifications are not available, is it not a fact that these places will accumulate in their favour so that when the members are available from that community, they can be appointed?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"The rules provide for that contingency and are being strictly observed; when a seat reserved for any particular community is not filled by reason of want of duly qualified applicants, it goes to the next community in that rotation and that will be available to this community later, but I may add for the information of the hon. Member that the Government are taking every care to see even by repetition of notifications that these backward classes get their chance."

SRI S. NAGAPPA:—" In view of the fact that no Andhra *Harijan has been appointed, will the Government be pleased to* take steps to do equal justice to them, at least in future? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" The assumption is based on information which they have not yet got."

SRI S. NAGAPPA:—" Will the Hon. the Prime Minister be pleased to get the information? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" I have already stated, Sir, that it is not possible to get the information from the applications as to how many of them were Andhra Harijans and how many of them were other Harijans. The only categories that are provided for in this communal rotation are five, as I have already said on a different occasion and we cannot know the subdivisions of these categories."

SRI G. RANGAYYA NAYUDU:—" Will it not be possible to get the information by referring the matter to the Collectors of the districts? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" It is quite possible if we make personal and particular enquiries to get every information. But the question is that it is not possible to provide as many categories as there are subdivisions."

SRI G. RANGAYYA NAYUDU:—" Will the Government take any action to provide such information when the question is asked in this Assembly? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" I have already explained, Sir, to the hon. Member putting the supplementary question that it is possible to get information of every kind. But the communal rotation cannot be worked on this basis. We cannot substitute 25 categories instead of the five, by subdividing each into five."

Publication of the list showing the uncultivated lands in the Agency tracts.

*420 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Revenue be pleased to state with reference to the answer to the supplementary question to the answer to starred question No. 4 answered on 15th August 1938, that the Government have been taking stock of all those lands which are fertile but are lying uncultivated in the Agency tracts—

(*a*) whether any list is available in respect of those lands; and

(*b*) if so, whether the same will be placed on the table of the House?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—" (a) The answer is in the negative. The Government have called for a statement showing separately the extent of wet and dry lands available for assignment in each taluk of the Province.

" (b) This will be considered on receipt of the statement referred to in the answer to clause (a) above."

Proposals for the rescission of the Government Order directing the resumption of lands granted on darkhast subject to project conditions in the Guntur district.

* 421 Q.—SRI KONDA VENKATAPPAYYA: Will the Hon. the Minister for Revenue be pleased to state whether the Government have considered the question of setting aside the Government Order for resuming lands granted on darkhast subject to project conditions in the Guntur district; and if not, when the question will be taken up for consideration?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—" The matter is being examined by the Government."

Representation of the Muslim community in the Registration Department.

* 422 Q.—H. S. HUSSAIN SAHIB BAHADUR:—"Will the Hon. the Minister for Revenue be pleased to state—

(a) how many Muslims are employed in the Registration offices in the district of South Kanara and how many of them are Sub-Registrars and how many are clerks;

(b) how many Muslims in these offices belong to the district and how many of them are from outside; and

(c) how many Muslims of South Kanara have been appointed as Sub-Registrars both in the district and outside and when the last appoinment was made?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—" (a) Four; one Sub-Registrar and three clerks.

" (b) The Sub-Registrar and two clerks belong to the South Kanara district. The remaining clerk belongs to Malabar.

" (c) Of the Sub-Registrars in service two are Muslims of South Kanara. The last appointment as Sub-Registrar of a Muslim of South Kanara was made in 1929."

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Reduction of water-rate in the districts of East Godavari, West Godavari and Kistna.

* 423 *Q.*—SRI KALA VENKATA RAO: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether it is a fact that the Government were requested to reduce the water-rate in East Godavari, West Godavari and Kistna districts from Rs. 6–4–0 per acre to Rs. 5 per acre;

(*b*) whether the Government are convinced of the reasonableness of the demand in view of the circumstances narrated to them by various bodies and members of the legislature; and

(*c*) if so, whether they will be pleased to reduce the tax to Rs. 5 per acre or as a temporary measure collect only Rs. 5 during the current fasli?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—" (*a*) The answer is in the affirmative.

" (*b*) & (*c*) The whole question is under consideration."

SRI D. NARAYANA RAJU:—" May I know, Sir, when the consideration will be completed? "

SRI T. VISWANATHAM:—" As soon as the Government arrive at a decision."

SRI D. NARAYANA RAJU:—" May I ask with reference to (*c*), whether in view of the recent cyclone, there will be full remission of the water-rate at least for the current year? "

SRI T. VISWANATHAM:—" The remissions which will be necessitated by the cyclones will be different from others."

Representations for the revision of the scale of wages and allowances under the Famine Code and the orders, if any, passed by the Government thereon.

* 424 *Q.*—ABDUL HAMEED KHAN SAHIB BAHADUR:—Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether there have been representations to the Government pointing out that the revised scale of wages and allowances under the Famine Code does not provide adequate increase in the grain equivalent to meet the cost of the grain item and the ' other items ';

(*b*) whether the Government have considered the desirability of taking action under section 130 of the Famine Code and of increasing the wages and allowances;

(*c*) whether the Government have at any time examined the basis on which the ' grain-equivalent ' method has been adopted in the Famine Code;

(*d*) what steps are being taken by the Government to watch if the prices of the 'other items' are fluctuating proportionally with the price of grain; and

(*e*) whether the Government will be pleased to place on the table of the House the representations received on the subject together with their orders thereon?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—"(*a*) The answer is in the affirmative.

"(*b*) Yes. The Famine Commissioner was empowered to depart from the standard scale of allowances laid down in the Famine Code to the extent necessary to secure to the dependants the diet prescribed in the Code. The Government also ordered that the classes which had not actually benefited by the increased ration scale ordered in 1937 should receive one pice per day over and above the previous rates of allowance.

"(*c*) No such examination has been made by the Government in recent times. The examination of the diet scale is however one of the items of reference to the Famine Code Revision Committee constituted last May.

"(*d*) Where necessary the local officers will bring such fluctuations to the notice of the Government. It was on one such report that the Government empowered the Famine Commissioner to depart from the standard scale of allowances as stated above.

"(*e*) The Government do not consider it necessary to place these papers on the table of the House."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I know, Sir, whether the Government do not consider it possible, in view of the fluctuations to re-examine the question?"

SRI T. VISWANATHAM:—"I have submitted, Sir, that is one of the questions referred to the Famine Code Revision Committee and I presume they have made adequate enquiry into the matter."

Repairs to the village protection bund in Subbareddipalam village, Ponneri taluk, Chingleput district.

* 425 *Q.*—SRI D. RAMALINGA REDDIYAR: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether representations were received from the villagers of Subbareddipalam, Ponneri taluk, Chingleput district, for effecting permanent repairs to the village protection bund of the said village;

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(*b*) whether it is a fact that the Collector of Chingleput personally inspected the damage caused to the said bund by the heavy floods of 1937;

(*c*) whether any estimates have been so far prepared for keeping the said protection bund in good order;

(*d*) whether it is a fact that the said Subbareddipalam is surrounded on all sides by water during floods in the Kusastaliyar river; and

(*e*) when the Government propose to effect the necessary repairs to the said protection bund?

THE HON. MR. YAKUB HASAN:—" (*a*) The answer is in the affirmative.

" (*b*) The answer is in the affirmative.

" (*c*) The answer is in the negative.

" (*d*) The answer is in the affirmative.

" (*e*) The Government do not accept liability to protect villages from floods. It is the duty of the ryots to carry out such works as may be necessary and maintain them. In the case in question, however, Government as a special case carried out the necessary works in 1925, the ryots contributing a moiety of the cost. The Government do not think that further expenditure for the purpose would be justified."

SRI R. B. RAMAKRISHNA RAJU:—" Is it a fact, Sir, that the bund put up in 1925 has breached and the village is in serious danger of being flooded? "

THE HON. MR. YAKUB HASAN:—" As I have already said, it is not the duty of the Government to repair breaches. The parties themselves must do the repairs."

SRI D. RAMALINGA REDDIYAR:—" Mr. Speaker, Sir, if the question was treated as a special case in 1925, is it not all the more necessary that it should be treated as a special case as well in 1938? "

THE HON. MR. YAKUB HASAN:—" There is no need to justify this expenditure at present."

SRI G. RANGAYYA NAYUDU:—" Is it not the duty of the Government to repair the bunds of the tanks when breaches occur? "

THE HON. MR. YAKUB HASAN:—" No."

SRI G. RANGAYYA NAYUDU:—" Is not the Government collecting rent from the tenants? "

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THE HON. MR. YAKUB HASAN :—"When extraordinary floods come and a breach occurs, Government have to decide whether repairs can be done by them or not. It is not necessary that every breach that takes place should be repaired by Government. Very many considerations are brought to bear on the question of repairs, and sometimes it is repaired and sometimes it is not."

SRI G. RANGAYYA NAYUDU :—"When there is no water in the tanks and breaches occur?"

MR. SPEAKER :—"The hon. Member will repeat the question."

Sri G. Rangayya Nayudu repeated the concluding portion of the question.

MR. SPEAKER :—"The whole of the question."

(As the hon. Member did not repeat the whole question, the hon. the Speaker passed on to the next question.)

Proposals to supply electricity from Mettur to Government institutions and railways now served by the Madras Electric Supply Corporation, Limited.

* 426 *Q*.—SRI K. R. KARANT: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) what the approximate annual cost is of electricity paid to the Madras Electric Supply Corporation within the City of Madras and its suburbs like Guindy, Saidapet, etc.,

(i) by Government for its use, and

(ii) by the Railway Company;

(*b*) at what rates per unit these payments are made; and

(*c*) whether it would not be cheaper for Government to take their own supply for the above purposes from Mettur?

THE HON. MR. YAKUB HASAN :—"(*a*) (i) During 1937 the total quantity of electric energy supplied to the Government was 1,577,692 units, and the total cost paid to the Madras Electric Supply Corporation was Rs. 2,45,318–0–7.

"(ii) The information is not available.

"(*b*) The rates charged to Government are on a sliding scale according to the quantity of energy consumed at each point of supply ranging from 4 annas to $1\frac{3}{4}$ annas per unit for lights and fans. For power purposes the rate is $1\frac{1}{4}$ annas per unit. The average rate per unit worked out in 1937 to 2·49 annas. There is no information about the rate at which the railway companies are supplied.

"(*c*) The question of extending power supply from Mettur to Madras is engaging the attention of the Electricity department. Until the cost of the extension and distribution is worked out it is not possible to answer the question."

(b) if so, when; and

(c) if not, whether the Government will adopt some such measures to prevent the silting up of the river and the consequent reduction in the volume of water that is due to the ryots under the Nattar river?

THE HON. MR. YAKUB HASAN:—" (a) & (b) The answer is in the negative.

" (c) There is no necessity for nanal plantation or other measures to reduce the width. The requisite supply is given and is drawn by the river, and all channels are adequately served. The sluices have all been remodelled and the Vanjiyar regulator has also been constructed for equitable distribution. The river has assumed a more or less permanent regime and there is now no reason to apprehend that the river will silt up soon and get reduced supply."

Adequacy of teaching staff and availability of text-books for teaching Hindi.

* 430 Q.—SRI K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether the required number of teachers are available to teach Hindi in forms I, II and III; and

(b) whether suitable text-books are available?

THE HON. DR. P. SUBBARAYAN:—" (a) The teaching of Hindustani has been sanctioned in 125 secondary schools. Teachers have been appointed for all the secondary schools except one.

" (b) Yes."

SRI G. RANGAYYA NAYUDU:—" Are the text-books available in Urdu and Hindi scripts? "

THE HON. DR. P. SUBBARAYAN:—" Yes, Sir."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" May I know from the Hon. Minister for Education whether all the teachers that have been appointed for these schools to teach Hindustani are equally efficient in both the scripts? "

THE HON. DR. P. SUBBARAYAN:—" If the hon. Member will put down a separate question, I will strive to answer it."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—" May I know whether it is Hindi or Hindustani that has been introduced in these schools? It is stated in the question ' Hindi,' whereas the Hon. Minister while answering has stated it to be Hindustani. The House will be glad to know what is the particular language that has been introduced."

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THE HON. DR. P. SUBBARAYAN:—"I think the hon. Member representing Tanjore-Madura-Ramnad Christians ought to know (Laughter) that the language described by him is called Hindustani."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"Is it a different language that this question refers to? This question refers to Hindi and the Hon. Minister for Education, representing I do not know which part of the Salem district, has answered that question as referring to Hindustani. Is the language introduced by the Government in schools, namely, Hindi, distinct from Hindustani and is it a separate language?"

THE HON. DR. P. SUBBARAYAN:—"The hon. Member ought to know that I represent Tiruchengodu Non-Muhammadan, General (Rural) Constituency in the district of Salem. (Laughter.) I think the hon. Member when he put the question was really referring to Hindustani."

Transfer of the Oriental Manuscripts Library to the management of the University of Madras.

* 431 *Q.*—SRI D. RAMALINGA REDDIYAR: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) why the transfer of the Oriental Manuscripts Library to the authorities of the University of Madras has not been so far executed; and

(*b*) when the transfer may be expected?

THE HON. DR. P. SUBBARAYAN:—"(*a*) The transfer has not yet taken place because the erection of the necessary racks and the equipment of rooms allotted to the Oriental Manuscripts Library in the University Library Buildings have not been completed.

"(*b*) The transfer is likely to be made by about the beginning of January 1939."

Grant-in-aid to the Board High School, Cheyyar, North Arcot.

* 432 *Q.*—SRI D. RAMALINGA REDDIYAR: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) why the Government grant-in-aid given to secondary schools is not given to the Cheyyar Board High school, North Arcot; and

(*b*) whether the Government would consider the desirability of sanctioning the grant at least from the current year?

THE HON. DR. P. SUBBARAYAN:—" (a) & (b) This is a school which has been maintained from the beginning out of district board funds. There are many other schools of this kind in the Presidency. In the year 1930 Government introduced a system of paying lump sum subsidies to local bodies for secondary education and passed definite orders stating that they would not take up additional commitments. It is not possible to make an exception in the case of the North Arcot District Board."

Budget provision for the payment of building grants to village schools.

* 433 Q.—SRI D. RAMALINGA REDDIYAR: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether there is any proposal to disburse the grant-in-aid for school buildings in villages sanctioned by the Inspector of Local Boards prior to 14th July 1937; and

(b) if so, whether the Government propose to allot the necessary funds in the budget for 1939–40 for the purpose referred to in (a)?

THE HON. DR. P. SUBBARAYAN:—" (a) & (b) The question of providing funds for the payment of building grants for panchayat schools is under consideration."

Enhancement of tuition fees in arts colleges.

* 434 Q.—SRI K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether it is a fact that the scale of fees in arts colleges has been increased;

(b) the rates at which the fees have been increased;

(c) when the last scale was adopted; and

(d) what the reasons for enhancing the scale of fees are?

THE HON. DR. P. SUBBARAYAN:—" (a) The answer is in the affirmative.

" (b) Rs. 6 per annum or Rs. 2 per term per student for the Intermediate course and Rs. 12 per annum or Rs. 4 per term per student for the B.A. and B.Sc. pass and Honours courses.

" (c) 1932–33.

" (d) The increase in college fees was ordered with a view to reduce to some extent the disproportionately large expenditure incurred on education in colleges compared with the revenue realized from tuition fees."

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ABDUL HAMEED KHAN SAHIB BAHADUR :—" In view of the attempt that has been made by this Government in reducing the scales of pay of some of its officers, do the Government think it consistent with their policy to make education more costly? "

THE HON. DR. P. SUBBARAYAN :—" I do not think that education has been made any more costly. I think the increase is only small which can easily be paid."

Applicability of the revised scales of pay to the establishment of the Madras Hindu Religious Endowments Board.

* 435 *Q*.—SRI K. V. R. SWAMI : Will the Hon. the Minister for Public Health be pleased to state whether the revised scales of pay made applicable to the Government servants would also apply to the establishment of the Madras Hindu Religious Endowments Board?

THE HON. DR. T. S. S. RAJAN :—" The matter of applying revised scales of pay according to G.O. No. 169, Public (Services), dated 29th January 1938, to the establishment of the Hindu Religious Endowments Board is under the consideration of the Government."

SRI G. KRISHNA RAO :—" May I know whether Government contemplate to provincialize the administration of this Board? "

THE HON. DR. T. S. S. RAJAN :—" The hon. Member may put an independent question."

Support and encouragement to indigenous systems of medicine.

* 436 *Q*.—SRI V. VENKATASUBBAYYA : Will the Hon. the Minister for Public Health be pleased to state what steps the Government have taken or propose to take in the matter of giving more support and encouragement to indigenous systems of medicine than now?

THE HON. DR. T. S. S. RAJAN :—" The answer is in the negative."

ABDUL HAMEED KHAN SAHIB BAHADUR :—" May I know the reason for giving this negative answer? "

THE HON. DR. T. S. S. RAJAN :—" For the simple reason that nothing more has been done."

ABDUL HAMEED KHAN SAHIB BAHADUR :—" May I ask whether the Government will not reconsider the matter in view of the fact that these systems of medicines demand the attention of the Government equally witb the other system, namely, allopathy? "

THE HON. DR. T. S. S. RAJAN :—" Yes; the Government have done so in the past and propose to do so in future as well."

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Issuing of wound certificates by registered 'A' class medical practitioners of Indian Medicine.

* 437 *Q.*—SRI V. VENKATASUBBAYYA: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) whether there is a Government Order which empowers practitioners of Indian Medicine registered in class 'A' to issue wound certificates;

(*b*) whether any confidential circular has subsequently been sent to the heads of Police departments not to requisition the services of such practitioners in the matter of obtaining wound certificates; and

(*c*) If so, what steps the Government have taken in order to give due effect and publicity to Government intentions in this matter?

THE HON. DR. T. S. S. RAJAN:—"(*a*) The answer is in the affirmative.

"(*b*) The Government consider that it is not in the public interests to answer this clause.

"(*c*) Does not arise."

Supply of copies of lists of properties belonging to religious institutions.

* 438 *Q.*—H. S. HUSSAIN SAHIB BAHADUR:—"Will the Hon. the Minister for Public Health be pleased to state with reference to the answer to starred question No. 473 given on 26th March 1938—

(*a*) whether the revenue records referred to therein were destroyed;

(*b*) if so, when, under whose authority and for what purpose they were so destroyed;

(*c*) whether it is a fact that lists of properties belonging to Jain institutions in the district of South Kanara other than the institution referred to in that question are available in the office of the Collector;

(*d*) whether it is a fact that certified copies of such lists were being granted to the trustees of those institutions till recently; and

(*e*) whether it is a fact that the Madras Hindu Religious Endowments Board has requested the Collectors of districts or the Revenue Board in Madras to see that no copies are supplied to trustees?

THE HON. DR. T. S. S. RAJAN:—"(*a*) *to* (*d*) The lists of properties belonging to Jain institutions in South Kanara are not available with the Collector and so copies of such lists were not granted in the past.

"(*e*) The answer is in the negative."

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Reasons for not granting a holiday for Vijayadasami in the School of Indian Medicine.

* 439 *Q.*—SRI V. VENKATASUBBAYYA: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) why the School of Indian Medicine is closed from the 17th September to the 3rd October this year; and

(*b*) why the 4th October which is Vijayadasami is not a holiday?

THE HON. DR. T. S. S. RAJAN:—" (*a*) The Indian Medical School is usually closed for students appearing for their examinations in April during the penultimate and last week (Michaelmas week) of September, when the half-yearly Board examinations for students appearing in September are held. The Board examinations commenced this year on 19th September 1938 and the holidays extended from 19th September to 1st October. The immediately preceding and succeeding gazetted holidays, viz., 17th September (penultimate Saturday) and 18th September (Sunday) as well as 2nd October (Sunday) and 3rd October (Ayudha Puja) were added to this so that the holidays extended from 17th September to 3rd October.

" (*b*) It was not declared as a public holiday by Government."

SRI V. VENKATASUBBAYYA:—" When for Michaelmas fifteen days are allotted, why should not Vijayadasami be added to it? "

THE HON. DR. T. S. S. RAJAN:—" There is a list of Government holidays, and if the hon. Member wishes to have Vijayadasami as a holiday, he may address the Government on that question."

SRI V. VENKATASUBBAYYA:—" Am I to understand that other holidays on which the school is closed, are holidays included in that list? "

THE HON. DR. T. S. S. RAJAN:—" The school is closed only on Government holidays."

SRI V. VENKATASUBBAYYA:—" Does the Hon. Minister mean that the days commencing from 17th September to 3rd October were declared Government holidays? "

THE HON. DR. T. S. S. RAJAN:—" There were the Michaelmas holidays, and if the hon. Member had listened to my reply, he would have noticed that the immediately preceding penultimate Saturday and the succeeding gazetted holidays, including Sunday, have all extended the total number of holidays from 17th September to 3rd October, and as such the period may be considered as Government holidays."

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SRI V. VENKATASUBBAYYA:—" Will the Government be pleased to declare the Vijayadasami day and the day following it as holidays to enable such of those mufassal students who might have gone to their native places, to join the school after the festival?"

THE HON. DR. T. S. S. RAJAN:—" The hon. Member must address the Government separately on this question."

Reduction of fees for the collection of leaves from reserve and other forests.

* 440 Q.—SRI N. ANNAMALAI PILLAI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state whether the Government propose to reduce the fees for collection of leaves from reserve or other forests?

THE HON. SRI V. I. MUNISWAMI PILLAI:" The question is under consideration."

Problem of over-population of the province as per census report of 1931.

* 441 Q.—SRI K. V. R. SWAMI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) whether it is a fact that according to the census of 1931 the population of this province has increased much faster than India as a whole;

(b) whether it is a fact that the census report of 1931 stated that the Presidency could no longer feed itself; and

(c) whether the Government have considered this problem?

THE HON. SRI V. I. MUNISWAMI PILLAI:—" (a) The facts are not as stated in the question.

" (b) Evidently, the hon. Member refers to the following passage in the Census Report of 1931: 'Possibilities of agriculture on present methods have more or less reached a maximum and the Presidency can no longer feed itself.'

" (c) The Government are quite aware of the necessity to improve the production of agricultural crops. The entire research work of the Paddy Specialist is designed to evolve new and better strains of crop. Better methods of cultivation are also taught. The paddy strains evolved are many and acreage under improved strains has considerably expanded in the course of the last twelve years. The irrigation

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projects completed and under consideration are also intended to bring large areas under cultivation. The question of improving dry crops has also received and continues to receive considerable attention."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I know whether the Government are satisfied that the rate of increased production is keeping pace with the increase in population?"

THE HON. SRI V. I. MUNISWAMI PILLAI:—"Yes, Sir." (Laughter.)

Protest against the advertisement of toddy by beat of tom-tom in the City of Madura.

* 442 *Q.*—SRI N. M. R. SUBBARAMAN: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) whether it is a fact that toddy is advertised by tom-tom in the City of Madura, especially in the labour area;

(*b*) whether representations have been made or complaints sent to police about the same; and

(*c*) what action has been taken in the matter?

THE HON. SRI V. I. MUNISWAMI PILLAI:—"(*a*) *to* (*c*) Enquiries made by the Police and Excise officers show that toddy was not advertised by tom-tom in Madura Town. It is reported that when the Inspector of Excise, Madura Circle, called on the Chairman, Municipal Council, Madura, on 22nd July 1938 to discuss certain matters connected with the Excise department, the Chairman told the Inspector that he had heard that toddy was advertised by tom-tom in the town but could give no details. About that time a complaint was made orally at the B-3 Police Station, Madura, by a private individual that toddy was advertised by tom-tom in the early hours of the morning at the south gate toddy shop. The Police officer in charge forthwith made enquiries but found no evidence. He however warned the toddy-shop contractor and no complaint has since been received."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I know what other methods are employed by these toddy-shop owners to advertise their wares?"

THE HON. SRI V. I. MUNISWAMI PILLAI:—"I do not know, Sir." (Laughter.)

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Removal of the toddy shops at Eranhikkal and Vengali, Calicut taluk, from their present site.

* 443 *Q.*—SRI E. KANNAN: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) whether it is a fact that representations were made to the Collector of Malabar on 3rd August 1938 by some people of Karannore amsam, Calicut taluk, to remove the toddy shops at Eranhikkal and Vengali to less objectionable sites; and

(*b*) if so, what the representations were and what the Collector did in the matter?

THE HON. SRI V. I. MUNISWAMI PILLAI:—"(*a*) & (*b*) The Government have no information."

SRI P. VENKATARAMA AYYAR:—"May I know, Sir, whether Government will be pleased to issue orders to all the officers of the Excise department in all the districts to the effect that toddy shops and arrack shops should not be removed from place to place without the consent of the villagers concerned?"

THE HON. SRI V. I. MUNISWAMI PILLAI:—"If a specific question is put on that matter, it will be considered."

Alleged hardship in Nellore district due to the issue of grazing permits on the basis of the kancha system.

* 444 *Q.*—SRI V. VENKATASUBBAYYA: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) whether it is a fact that in Cuddapah and Kurnool districts cattle are allowed to graze throughout the district reserves on payment of a single pullari;

(*b*) whether it is otherwise in the Rapur and Udayagiri ranges of the Nellore district where the district reserve is divided into several kanchas and for the same animal fees are payable in proportion to the number of kanchas where the animal grazes; and

(*c*) whether any representations have been made to the Government for introducing into the Nellore district the same system as is in practice in Cuddapah and Kurnool districts?

THE HON. SRI V. I. MUNISWAMI PILLAI:—"(*a*) Yes.

"(*b*) Yes.

"(*c*) Yes. After personal inspection and discussion with the ryots, it was decided that the kancha system should be continued."

SRI V. VENKATASUBBAYYA:—"May I know, Sir, why this difference is being made in the Nellore district and more especially in the Rapur and Udayagiri ranges?"

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THE HON. SRI. V. I. MUNISWAMI PILLAI:—"The kancha system is being introduced in the Nellore district after discussion with the ryots."

SRI V. VENKATASUBBAYYA:—"May I know why the kancha system is introduced in the Nellore district, whereas it is not introduced in the Cuddapah and Kurnool districts?"

THE HON. SRI V. I. MUNISWAMI PILLAI:—"Because the people of Nellore district preferred such a system."

SRI V. VENKATASUBBAYYA:—"Does the Hon. Minister mean to say the ryots themselves prefer to pay larger fees in Nellore district than in Cuddapah and Kurnool districts?"

THE HON. SRI V. I. MUNISWAMI PILLAI:—"The kanchadars themselves prescribe the fees and not the Government."

Proposals for starting a factory for the manufacture of motor cars.

* 445 *Q.*—SRI P. M. ADIKESAVULU NAICKER: Will the Hon. the Minister for Industries and Labour be pleased to state—

(*a*) the number of motor cars imported into this province and their value;

(*b*) whether the Government have any difficulties in the matter of starting a factory for manufacturing cars; and

(*c*) whether the Government have before them any proposals to start the industry in this province?

THE HON. SRI V. V. GIRI:—"(*a*) Two thousand three hundred and fifteen motor cars (including taxi cabs) valued at Rs. 42,31,150 were imported into Madras Presidency during 1937–38 by sea.

"(*b*) & (*c*) The hon. Member may be aware that it was decided at the Industries Ministers' Conference held at Delhi in the beginning of October 1938 to bring into being a National Planning Committee which will, *inter alia*, investigate fully in all its aspects the question of starting a factory for the manufacture of motor cars. The Government await its recommendations."

SRI G. RANGAYYA NAIDU:—"Does the figure include the number of motor cars imported into the city of Madras?" (Laughter.)

THE HON. SRI V. V. GIRI:—"Notice, Sir."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I know whether this includes also chasis that are imported?"

THE HON. SRI V. V. GIRI:—"Certainly."

Scheme, if any, for solving unemployment among the educated classes.

* 446 Q.—SRI G. KRISHNA RAO: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether in regard to the statistics concerning the educated unemployed in the six districts chosen by the Government, any suggestion was called for from the Collectors of these districts with a view to help the solution of this problem;

(b) whether the Director of Industries by himself will be able to exhaustively deal with this question in sending his report with his remarks; and

(c) what the plan contemplated by the Government for the solution of this problem is?

THE HON. SRI V. V. GIRI:—" (a) The answer is in the negative.

" (b) The question does not arise as the Director of Industries was not asked to suggest a solution of the problem.

" (c) The matter is receiving Government's attention."

SRI G. KRISHNA RAO:—" May I know whether Government contemplate the starting of factories on the lines of Dayalbagh colonization? "

THE HON. SRI V. V. GIRI:—" The matter is being investigated."

SRI V. M. RAMASWAMI MUDALIYAR:—" May I know whether Government will furnish the information so far collected regarding the facilities existing in the several districts, as also in what districts survey has been taken so far, and in what districts survey has yet to be undertaken? "

THE HON. SRI V. V. GIRI:—" It has already been published, Sir."

SRI D. V. RAMASWAMI:—" May I know whether the statistics collected so far are satisfactory? "

THE HON. SRI V. V. GIRI:—" They are not at all unsatisfactory." (Laughter.)

SRI D. V. RAMASWAMI:—" May I know whether Government are prepared to take up further collection of statistics? "

THE HON. SRI V. V. GIRI:—" The matter is being investigated and I think there will be a further collection of statistics."

SRI G. RANGAYYA NAYUDU:—" May I know whether Government have taken any pains to prepare a list of the educated unemployed in the City of Madras? "

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THE HON. SRI V. V. GIRI :—" In six districts it has been prepared; in the City of Madras it has not been made; and it is likely it will be taken up."

SRI P. R. K. SARMA :—" May I know whether Government will make a similar survey with regard to the other districts also? "

THE HON. SRI V. V. GIRI :—" I have already answered the question."

Number of additional Land Mortgage Banks sanctioned for 1938–39.

* 447 *Q.*—SRI B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Minister for Industries and Labour be pleased to state—

(*a*) how many Land Mortgage Banks were sanctioned by the Government for the year 1938–39; and

(*b*) how many were opened till now and how many have yet to be opened and in what places?

THE HON. SRI V. V. GIRI :—" (*a*) Fifteen.

" (*b*) Ten banks have been registered. The organization of five more banks is under the consideration of the Registrar of Co-operative Societies."

Measures adopted by the Kallakurchi Co-operative Agricultural and Industrial Society, Limited, for the prevention of loss in future.

* 448 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Industries and Labour be pleased to state—

(*a*) whether any steps have been taken by the Kallakurchi Co-operative Agricultural and Industrial Society, Limited, Kallakurchi, to prevent losses in future as far as possible; and

(*b*) if so, what these steps are?

THE HON. SRI V. V. GIRI :—" (*a*) & (*b*) The society has taken steps not only to reduce expenditure but also to augment its income. A saving of Rs. 300 per year has been effected in establishment charges. It expects to save a sum of Rs. 200 a year in interest charges on moneys borrowed from the Central Bank. The society has very recently taken up, on a commission basis, the agency of the Presidency Manure Work, Limited. It has also revived the system of giving loans on the pledge of produce."

Number of Deputy Registrars of Co-operative Societies recruited from the different linguistic areas.

* 449 *Q.*—SRI KONDA VENKATAPPAYYA: Will the Hon. the Minister for Industries and Labour be pleased to state the number of Deputy Registrars in the Co-operative department in this Presidency according to the linguistic area from which they were recruited?

THE HON. SRI V. V. GIRI:—"Besides an Anglo-Indian, there are 7 from the Andhra districts, 16 from the Tamil districts, 2 from Malabar and 2 from South Kanara."

Prosecution and release of Mr. Batliwala.

* 450 *Q.*—SRI B. BHAKTHAVATHSALU NAYUDU: Will the Hon the Minister for Administration Reports and Public Information be pleased to state—

(*a*) whether it is a fact that the Public Prosecutor, Madras, was asked to conduct the prosecution against Mr. Batliwala in the Nellore Sessions Court;

(*b*) why the Public Prosecutor at Nellore was not asked to conduct the prosecution;

(*c*) whether it is a fact that he was released in the end, and if so, for what reasons; and

(*d*) whether these reasons were known to the Government before they launched the prosecution against Mr. Batliwala?

THE HON. SRI S. RAMANATHAN:—"(*a*) The answer is in the affirmative.

"(*b*) In view of the special nature of the case, the Government considered that the Public Prosecutor, Madras, should conduct the prosecution.

"(*c*) The release of Mr. Batliwala was ordered because, after the institution of the prosecution, propaganda carrying with it direct or indirect incitement to violence and disorder, more or less ceased and it was considered that clemency shown in the case at that stage would conduce to the maintenance of non-violence and good feeling and that it would not weaken the forces of order.

"(*d*) The circumstances stated above could not arise or have any application whatsoever to conditions prior to the prosecution."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I know what is the special nature of the case there?"

THE HON. SRI S. RAMANATHAN:—"Incitement to violence and disorder."

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SRI B. BHAKTHAVATHSALU NAYUDU :—" What was the amount of expenditure incurred by engaging the Public Prosecutor, Madras, to conduct the case in Nellore? "

THE HON. SRI S. RAMANATHAN :—" Notice."

RAO BAHADUR SIR A. T. PANNIR SELVAM :—" Was there any undertaking taken from Mr. Batliwala before he was released? "

THE HON. SRI S. RAMANATHAN :—" Notice, Sir."

ABDUL HAMEED KHAN SAHIB BAHADUR :—" May I know whether Government had any special reasons for sending the Public Prosecutor, Madras, to conduct the case in Nellore? "

THE HON. SRI S. RAMANATHAN :—" I have already stated the special nature of the case and that was why Government chose to send the Public Prosecutor from Madras to Nellore."

RAO BAHADUR SIR A. T. PANNIR SELVAM :—" May I know, Sir, whether Mr. Batliwala's case was a case of a political character? "

THE HON. SRI S. RAMANATHAN :—" Yes, Sir."

RAO BAHADUR SIR A. T. PANNIR SELVAM :—" And was he treated as a political prisoner? "

THE HON. SRI S. RAMANATHAN :—" There is no such classification in jails as ' political prisoner '."

ABDUL HAMEED KHAN SAHIB BAHADUR :—" May I know whether it is not a fact that in the classification of prisoners into A, B or C class, political prisoners are treated as distinct from other prisoners, and that accounts for their coming into the class A or B? "

THE HON. SRI S. RAMANATHAN :—" No; the classification is not based upon politics."

RAO BAHADUR SIR A. T. PANNIR SELVAM :—" May I know whether Government are always prepared to release such persons immediately after the sentence is passed against them? "

THE HON. SRI S. RAMANATHAN :—" I do not quite follow the question."

RAO BAHADUR SIR A. T. PANNIR SELVAM :—" May I know whether Government are going to adopt in future the practice of releasing the political prisoner immediately after the sentence is passed against him? "

THE HON. SRI S. RAMANATHAN :—" Each case will have to be decided on its own merits." (Laughter.)

ABDUL HAMEED KHAN SAHIB BAHADUR :—" May I know the criterion Government follow in each of these cases? "

THE HON. SRI S. RAMANATHAN :—" It depends upon the circumstances of each case."

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RAO BAHADUR SIR A. T. PANNIR SELVAM:—"From the answer of the Hon. the Minister for Public Information, am I to understand that with Government there is no such classification as political prisoners and non-political prisoners?"

THE HON. SRI S. RAMANATHAN:—"Yes, Sir, the assumption is correct."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"Then may I ask, Sir, on what ground the prisoners in the Ootacamund Bank Raid Case were released? Was it not on the ground of 'political prisoners'?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"Release is a quite different thing, Sir, from the classification of prisoners." (Loud laughter.)

Nature of the restrictions imposed on 'B' class prisoners in the matters of interviews.

*451 *Q.*—SRI P. R. K. SARMA: Will the Hon. the Minister for Administration Reports and Public Information be pleased to state—

(*a*) whether he is aware that 'B' class prisoners are to have at present their interviews on the same conditions as 'C' class prisoners;

(*b*) what the contrivance used on the occasion of such interviews is;

(*c*) whether this contrivance, if any, was used only in the case of 'C' class prisoners and whether this has been extended to 'B' class prisoners since October 1937;

(*d*) whether the Hon. Minister has gone into the question of inconvenience, indignity and humiliation caused to the prisoners and their relatives by this contrivance; and

(*e*) whether it is proposed to remove this contrivance?

THE HON. SRI S. RAMANATHAN:—"(*a*) Except for the fact that 'A' and 'B' class prisoners are allowed to have interviews more frequently than 'C' class prisoners, the conditions under which interviews are allowed are the same for all classes of prisoners.

"(*b*) Screen partitions of expanded metal are used.

"(*c*) Prior to 25th February 1936, it was used in the Central Jails at Vellore and Coimbatore and in the Presidency Jail for Women, Vellore, and it has now been introduced in all Central and District Jails. All classes of prisoners have been treated alike in this respect.

"(*d*) There may be some inconvenience, but no indignity or humiliation is caused to the prisoners or their relatives by the contrivance.

"(*e*) The answer is in the negative."

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SRI V. VENKATASUBBAYYA:—"May I know, Sir, whether in Rajahmundry jail, interviews are held through a hole in the wall?"

THE HON. SRI S. RAMANATHAN:—"I am not aware, Sir."

SRI V. VENKATASUBBAYYA:—"Will the Hon. Minister make inquiries and put an end to such a practice if it prevails?"

THE HON. SRI S. RAMANATHAN:—"Yes."

SRI P. R. K. SARMA:—"May I know, Sir, whether Government consider such a contrivance is necessary for 'B' class prisoners?"

THE HON. SRI S. RAMANATHAN:—"Yes, for all classes of prisoners."

SRI P. R. K. SARMA:—"Is it not a fact that jailers are present at the time of interviews?"

THE HON. SRI S. RAMANATHAN:—"Under the rules they have to be present."

Interference of the Revenue Board in a criminal case pending on the file of the Stationary Sub-Magistrate's Court, Cannanore.

* 452 *Q.*—SRI P. MADHAVAN: Will the Hon. the Minister for Administration Reports and Public Information be pleased to state—

(*a*) whether it is a fact that in C.C. No. 292 of 1938 on the file of the Stationary Sub-Magistrate, Cannanore, in which Major Johnson was the accused, the Revenue Board sent demi-officials to the Collector of Malabar and the Joint Magistrate, North Malabar, to try to compromise the matter; and

(*b*) whether it is a fact that on the strength of the above demi-officials the Joint Magistrate interfered, approached the lawyers appearing on both sides and asked them to come to a compromise and that as a result, a compromise was effected by the accused expressing regret to the Circle Inspector of Excise, Cannanore?

THE HON. SRI S. RAMANATHAN:—"(*a*) & (*b*) On receiving a report that a Military Officer, Major Johnson, had assaulted a clerk in the Cannanore Excise Office, the Commissioner of Excise, thinking it possible that Major Johnson had received some provocation, wrote a demi-official to the Collector asking him to enqnire and persuade Major Johnson to apoligize if he had done wrong. Major Johnson admitted that he had lost his temper and boxed the clerk's ears as he had been impertinent. Major Johnson apologized and the clerk willingly accepted the apology and withdrew the complaint, which had been filed in the meantime under instructions from the Deputy Commissioner."

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SRI E. KANNAN :—" May I know whether it lies within the powers of the Police Commissioner to compromise such suits?"

THE HON. SRI S. RAMANATHAN :—" Not the Police Commissioner."

Particulars of law courts to be abolished this year.

* 453 *Q.*—SRI P. MADHAVAN: Will the Hon. the Minister for Administration Reports and Public Information be pleased to state—

(*a*) whether the Government propose to abolish any law courts this year; and

(*b*) if so, how many District Munsifs' Courts and how many Subordinate Judges' Courts are proposed to be abolished and in which districts?

THE HON. SRI S. RAMANATHAN :—" (*a*) & (*b*) The question of the abolition of civil courts is under the consideration of the Government. Orders have so far been issued for the abolition of the following three permanent courts :—

(1) Additional Sub-Court, Tinnevelly.

(2) Sub-Court, Tiruvarur.

(3) Additional District Munsif's Court, Masulipatam."

Protest against the proposal for the abolition of the District Munsif's Court at Sholinghur.

* 454 *Q.*—SRI B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Minister for Administration Reports and Public Information be pleased to state—

(*a*) whether it is a fact that the Government intend to abolish some of the District Munsifs' Courts in the Presidency;

(*b*) if so, how many and what they are;

(*c*) whether it is a fact that there was a proposal to abolish the District Munsif's Court at Sholinghur;

(*d*) whether the Members of the Bar and the public of Sholinghur waited on deputation upon the Hon. the Minister requesting him to retain the court since it would cause a lot of inconvenience to the public; and

(*e*) what the Government propose to do finally in that matter?

THE HON. SRI S. RAMANATHAN :—" (*a*) The answer is in the affirmative.

" (*b*) No final decision has been reached in regard to the courts to be abolished.

" (*c*) & (*d*) The answer is in the affirmative.

" (*e*) The Government propose to re-examine in 1939 the question whether the court should be abolished or not."

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Re-organization of the process-servers' department of the civil courts.

* 455 *Q.*—SRI D. RAMALINGA REDDIYAR: Will the Hon. the Minister for Courts and Prisons be pleased to state whether the Government contemplate any measures to overhaul and reform the entire process-servers' department of the civil courts of the Presidency?

THE HON. SRI S. RAMANATHAN (Minister for Public Information) on behalf of the Hon. Sri K. Raman Menon:—"The answer is in the negative."

Constitution of the service of maistris under district boards on a permanent basis.

* 456 *Q.*—SRI V. S. R. M. VALLIAPPA CHETTIYAR: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) whether the Government have received petitions from maistris in the District Board Engineering department for making their services permanent, so as to enable them to enjoy the benefits of security of service, provident fund, leave, gratuity, etc.;

(*b*) whether district boards also have made requests to Government to treat them as regular members of the staff and constitute a separate cadre for them; and

(*c*) if so, what action the Government have taken or propose to take in the matter?

THE HON. SRI B. GOPALA REDDI:—"Proposals for the constitution of a permanent service of maistris were recently received from the ex-North Ramnad District Board and the Trichinopoly District Board. In the former case, a petition from the maistris of the district board was also forwarded to the Government by the district board. A copy of the orders [a] passed by the Government is placed on the table."

Revised estimates for the construction of a causeway across the Cheyyar at Perunagar.

* 457 *Q.*—SRI D. RAMALINGA REDDIYAR: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) whether revised estimates have been received by the Government from the North Arcot District Board (Vellore) for the construction of a causeway across the Cheyyar at Perunagar; and

(*b*) if not, whether the Government will take steps to expedite the same?

[a] Printed as Appendix I on page 692 infra.

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THE HON. SRI B. GOPALA REDDI:—"(a) The estimate for the scheme is within the limits of the powers of technical sanction of the Chief Engineer. The revised estimate has not been received by Government.

"(b) Steps will be taken, if found necessary, to ensure that avoidable delay in the execution of the scheme does not occur."

Proposal to hold elections to all the divisions of the Corporation of Madras, simultaneously.

* 458 Q.—SRI D. RAMALINGA REDDIYAR: Will the Hon. the Minister for Local Administration be pleased to state, whether it is a fact that there is a proposal to hold elections simultaneously for all the seats—general and special—in the City of Madras, for the Municipal Corporation, from next year, instead of by the method of rotation as is in vogue at present?

THE HON. SRI B. GOPALA REDDI:—"The answer is in the negative."

SRI D. RAMALINGA REDDIYAR:—"May I know, Sir, whether the Government would view the question favourably if the Madras Corporation asks for it?"

THE HON. SRI B. GOPALA REDDI:—"I do not understand the meaning of the words 'viewing favourably'."

SRI D. RAMALINGA REDDIYAR:—"I was asking whether the Government would consider legislation necessary in case the Corporation of Madras writes for it?"

THE HON. SRI B. GOPALA REDDI:—"When the Corporation asks we will consider the matter, Sir."

Transfer of the reserved seat for women from Ward No. I to Ward No. III in the municipality of Nandyal.

* 459 Q.—K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—Will the Hon. the Minister for Local Administration be pleased to state—

(a) the number of years for which Ward No. I in Nandyal Municipality had a reserved seat for women allotted to it;

(b) whether it is a fact that the said seat has now been allotted to Ward No. III on the suggestion of the Town Congress Committee;

(c) whether the Municipal Council of Nandyal was consulted in the matter;

(d) whether it is a fact that the Municipal Council of Nandyal was opposed to this change; and

(e) if the answer to (d) be in the affirmative, the reasons that induced the Government to order the change?

THE HON. SRI B. GOPALA REDDI:—"(a) About seven years.

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" (b) The women's reserved seat was re-allocated to Ward No. III on the recommendation of the Inspector of Municipal Councils and Local Boards.

" (c) & (d) The answer is in the affirmative.

" (e) The Government considered Ward No. III to be more suitable and enlightened for the reservation of the women's seat than Ward No. I."

K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—" May I know, Sir, the reason that prompted the Government to set aside the recommendation of the municipal council and accept the recommendation of the Inspector of Municipal Councils and Local Boards?"

THE HON. SRI B. GOPALA REDDI:—" Government thought that it would be more suitable for the reservation of the women's seat."

K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—" What was the basis on which the Government came to the conclusion?"

THE HON. SRI B. GOPALA REDDI:—" The number of educated women in the ward."

K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—" May I know whether any statistics have been collected to show that there are more educated women in that particular ward?"

THE HON. SRI B. GOPALA REDDI:—" No statistics are necessary for that purpose, Sir."

Resolution of the Palakole Municipal Council to transact its business through the medium of Telugu.

* 460 Q.—SRI KALA VENKATA RAO: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether it is a fact that the Municipal Council, Palakole, resolved to conduct its proceedings and correspondence in Telugu and communicated the resolution to the Government; and

(b) what action the Government decided to take in the matter?

THE HON. SRI B. GOPALA REDDI:—" (a) The answer is in the affirmative.

" (b) The Government considered that such change in procedure was impracticable at present."

Measures to relieve agricultural distress in the Salem district.

* 461 Q.—SRI M. G. NATESA CHETTIYAR: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether the Government are aware of the failure of both dry and wet crops due to the failure of the usual rains in Salem district; and

(b) what measures the Government intend to take to relieve the distress?

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Sri T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—" (*a*) The Government observe from the recent season reports that more rains are needed in the Salem district and that standing crops are withering in parts. No special report, however, has been received from the Board of Revenue or the Collector.

" (*b*) Special instructions have been issued by the Board of Revenue to the Collector of Salem to watch the situation very carefully."

Amount spent by certain selected municipalities and district boards on matters concerning Public Health.

* 461-A *Q.*—Sri T. T. KRISHNAMACHARIAR: Will the Hon. the Minister for Local Administration be pleased to state the amount of money spent by the undermentioned municipalities and district boards on Public Health matters and the proportion such expense forms to the total revenue of each local authority—

(1) Madras, Vellore, Trichinopoly, Madura, Guntur and Vizagapatam Municipalities; and

(2) Salem, Coimbatore, Tinnevelly and Bellary District Boards (where boards are bifurcated, the bifurcated boards in the district being treated as one for this purpose)?

The Hon. Sri B. GOPALA REDDI:—" The amounts are as follows:—

Serial number and name of local body.	Total income under all accounts.	Public Health expenditure.			
		Medical relief.	Public Health Preventive.	Water-supply and drainage.	Total.
(1)	(2)	(3)	(4)	(5)	(6)
	RS.	RS.	RS.	RS.	RS.
1 Corporation of Madras ..	77,16,894	2,87,379	16,16,054	16,69,140	35,72,573
2 Vellore Municipal Council ..	2,85,696	11,521	66,716	74,316	1,52,553
3 Trichinopoly Municipal Council	6,71,657	27,944	1,71,901	1,05,265	3,05,110
4 Madura Municipal Council ..	17,21,876	31,683	3,40,977	3,05,902	6,78,562
5 Guntur Municipal Council ..	3,16,353	4,506	68,942	19,549	92,997
6 Vizagapatam Municipal Council	3 02,993	14,084	66,939	50,850	1,31,873
7 Salem District Board	14,93,837	76,566	65,564	..	1,42,130
8 Coimbatore District Board ..	19.46,299	1,06.607	73,299	..	1,78,906
9 Tinnevelly District Board ..	14,38,839	1,09,057	37,400	..	1,46,457
10 Bellary District Board ..	6,42,883	47,033	25,341	Nil.	72,374

Serial number and name of local body.	Percentage of Public Health expenditure to total income.			
	Medical relief.	Public Health, Preventive.	Water-supply and drainage.	Total.
	(7)	(8)	(9)	(10)
1 Corporation of Madras ..	3·7	21·0	21·6	46·3
2 Vellore Municipal Council ..	4·0	23·4	26·0	53·4
3 Trichinopoly Municipal Council	4·1	25·6	15·7	45·4
4 Madura Municipal Council ..	1·8	19·8	17·8	39·4
5 Guntur Municipal Council ..	1·4	21·8	6·2	29·4
6 Vizagapatam Municipal Council	4·6	22·1	16·8	43·5
7 Salem District Board	5·1	4·4	..	9·5
8 Coimbatore District Board ..	5·4	3·8	..	9·2
9 Tinnevelly District Board ..	7·6	2·6	..	10·2
10 Bellary District Board ..	7·3	4·0	Nil.	11·3"

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UNSTARRED QUESTIONS

Receipts and expenditure under sandalwood plantations.

147 *Q*.—SRI K. V. R. SWAMI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) the places where sandalwood is grown;

(*b*) the time when the plantation was started;

(*c*) the area covered by the plantation;

(*d*) the possibilities of further extension of the plantation at that place;

(*e*) the total quantities of sandalwood removed from the plantation;

(*f*) its value; and

(*g*) the total expenditure incurred on each plantation up till last year?

A.—(*a*) Sandalwood is grown in North Arcot, Salem, Coimbatore, West Godavari, Anantapur, Chittoor, the Nilgiris, Tinnevelly, Madura and South Kanara districts.

(*b*) & (*c*) Sandalwood plantations as such exist in the following places only:—

Division.	Locality or name of plantation.	When started.	Area in acres.
Cuddapah South.	Kodur	1865	5
The Nilgiris ..	Kargudi Hill and Teppakadu.	1920	194
Do. ..	Konkarai	1933	16
		Total ..	215

(*d*) It is not proposed to extend the plantations, as the more diffuse methods of regeneration are better suited to the idiosyncracies of this species.

(*e*) to (*g*) Exact details of quantities of sandalwood removed every year are not available but a statement[a] showing the total quantity and value of sandalwood sold from each division and total expenditure incurred during the past five years is appended.

Absorption and re-employment of hands retrenched on account of the introduction of prohibition.

148 *Q*.—SULTAN ABDUR RAHIMAN ALI RAJAH: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether the services of any officiating officers, clerks and peons in the Excise department were dispensed with owing to the introduction of the Prohibition scheme in the district of Salem;

[a] Printed as Appendix II on pages 693–694 infra.

(*b*) if so, the number of such employees who are without employment and under reversion;

(*c*) whether any such employees were given employment by transfer to any other departments, and if so, the number of such persons and the respective departments to which they are transferred and whether there are any changes in their cadre;

(*d*) whether the services of any of the officiating officers, clerks and peons from the Excise department will be dispensed with when Prohibition scheme is introduced in the districts of Chittoor and Cuddapah from the 1st October next;

(*e*) if so, whether the Government have in view any scheme to transfer such officers to any other departments;

(*f*) instead of transferring or reinstating such unemployeds to the Registration, Salt and Customs departments, why applications were invited as notified in Part I-B, pages 383, 384, 385 and 390 of the *Fort St. George Gazette*, dated 28th June 1938, for selections and direct recruitments for appointments to the said departments;

(*g*) whether it is a fact that the directly recruited officiating sub-inspectors of Excise were asked to state whether they were willing to be appointed as sub-inspectors in the Police department;

(*h*) if so, how many expressed their willingness in their written unconditional statements as required by the Board of Revenue and whether they have all been provided for in the Police department;

(*i*) if they have not been absorbed in the Police department, why fresh applications for direct recruitment of sub-inspectors in the Police department have been called for by the Inspector-General of Police; and

(*j*) whether it is a fact that the candidates who had completed their probation in the Madras Excise Subordinate Service and in the Ministerial Service were asked to pay the application fee of Rs. 10 again irrespective of the fact that they had paid the fee once before, and if so, why?

A.—(*a*) *to* (*c*) The following statement gives the information required. No permanent men were discharged.

	Number of officiating officers and peons		
	Discharged.	Absorbed in other districts.	Not so absorbed.
Sub-Inspectors	10	9	1
Clerks	11	4	7
Peons	138	85	53

The one Sub-Inspector of Excise was offered a similar appointment in the Nellore subdivision which he has declined.

Some of the clerks may have been allotted to other departments by Collectors. No information is available.

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Of the peons two are in the waiting list of police constables in North Arcot district and 42 are actually unemployed. Particulars regarding 9 are not available.

There were no cases of reversion.

(*d*) The answer is in the affirmative.

(*e*) Thirty-four directly recruited Sub-Inspectors of Excise in the Province have been selected for appointment as Sub-Inspectors of Police. The Government have amended the Madras Registration Subordinate Service Rules to the effect that the age-rule should not apply to discharged Sub-Inspectors of Excise (who had been recruited direct), who may apply for selection as reserve Sub-Registrars. They have also decided to amend the Madras Ministerial Service Rules so as to make such discharged Sub-Inspectors of Excise eligible to apply for selection as probationary Revenue Inspectors. Certain other proposals for the absorption in other departments of discharged officers and men of the Excise department are under the consideration of the Government.

(*f*) The Salt and Customs departments are under the control of the Central Government and this Government cannot transfer any officers to these departments. As regards appointments to the posts of Reserve Sub-Registrars, the hon. Member's attention is invited to the answer to clause (*e*).

(*g*), (*h*) & (*i*) The hon. Member's attention is invited to the answer to clause (*e*). The Government are unable to give more information.

(*j*) The fee is payable in all cases where selection is made after due advertisement.

Investigation and prosecution of murder cases in Malabar since 1st July 1937.

149 *Q.*—Sri E. KANNAN: Will the Hon. the Prime Minister be pleased to state—

(*a*) the number of murder cases that were reported in Malabar since 1st July 1937;

(*b*) the number of such cases in which the Police charged the persons concerned and conducted prosecutions with success; and

(*c*) what the report of the Police was regarding the death of Peruvannan woman from Eranhipalam, Calicut, last month?

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A.—(*a*) Sixty-five murder cases were reported in the Malabar district during the period.

(*b*) The persons concerned were charged by the police in 43 of those cases. The prosecutions were successful in 33 cases.

(*c*) The police report was that it was a case of suicide.

Savings and expenditure on account of the abolition of the Medical Schools in the city and the opening of the Stanley Medical College.

150 *Q.*—Sri GRANDHI VENKATA REDDI: Will the Hon. the Minister for Public Health be pleased to state, how much recurring and non-recurring expenditure the Government save, by the abolition of the two Medical Schools in the city and the sale of the buildings of the Lady Willingdon Medical School, and how much recurring and non-recurring expenditure they have to incur for running the Stanley Medical College?

A.—A statement[a] furnishing the information is laid on the table of the House.

Provision of beds in the special ward for treatment of Medical College students.

151 *Q.*—Sri GRANDHI VENKATA REDDI: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) whether there is provision for treatment in the special ward in the General Hospital for students of the Medical College, Madras;

(*b*) if so, whether there is a similar provision for Vizagapatam Medical College students; and

(*c*) if not, why not?

A.—(*a*) No accommodation is reserved in the special ward in the General Hospital for the students of the Madras Medical College.

(*b*) & (*c*) In view of the answer to clause (*a*) these questions do not arise. Government have issued instructions to the Surgeon-General that, wherever possible, a separate room with a few beds in each Government hospital may be set apart for the treatment of students in Medical Colleges and where separate rooms are not available a portion of the general ward may be screened off for providing the necessary accommodation.

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[a] Printed as Appendix III on page 695 infra.

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Classification of diet in the King George Hospital, Vizagapatam, as European and Non-European.

152 *Q.*—SRI GRANDHI VENKATA REDDI: Will the Hon. the Minister for Public Health be pleased to state whether it is a fact that the diet given to the patients in the King George Hospital, Vizagapatam, is classified as European and Non-European and not as Indian and Non-Indian?

A.—The diet given in the King George Hospital, Vizagapatam, is classified as European and Indian, according to Part XV to Appendix VI of the Civil Medical Code, Volume II.

Scope for appointment of and scales of pay fixed for graduates trained in the Librarianship course.

153 *Q.*—SRI S. GURUVULU: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether it is a fact that the Madras and the Andhra Universities have trained some graduates in the Librarianship course;

(*b*) whether it is quite essential to the Educational department;

(*c*) whether the graduates, who have undergone full nine months' training in the class of Librarianship in a University, and who possess the diploma in the Librarianship examination should be treated in par with the B.Eds., whose training also lasts only for nine months;

(*d*) (i) whether it is a fact that the Director of Public Instruction has introduced library periods in the High School department (in view of the importance of the library movement); if so, what the scale of pay is that is being given to a graduate trained in the Librarianship course;

(ii) whether the library periods should not be given to the trained librarian, if he is available; and

(*e*) what the steps taken by the present Government are in fixing the scale of pay of a trained librarian in Local Board service?

A.—(*a*) The answer is in the affirmative.

(*b*) No, although in appointing persons to Librarian's posts in the Education department special training in Librarianship is naturally taken into consideration.

(*c*) The Government do not propose to recognize a diploma in Librarianship as equivalent to a L.T. or B.Ed. degree. The two qualifications are entirely different.

(d) (i) On the suggestion of the Director of Public Instruction, library periods have for a long time been a feature of high school works. No special scales of pay have been prescribed for graduates trained in Librarianship. The library periods in secondary schools are usually supervised by the ordinary members of the school staff. While a course in Librarianship fits a candidate for the post of Librarian it has no direct relationship to the supervision of school library periods.

(ii) There is no objection to the proposal if the trained librarian is a trained graduate on the ordinary staff of the school.

(e) The Government do not consider that any special scale of pay is necessary for trained librarians in Local Board service.

Working of the Land Mortgage Bank, Kurnool.

154 *Q.*—SRI S. NAGAPPA: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether it is a fact that there is a Land Mortgage Bank in Kurnool town;

(b) when it was started;

(c) what business it has done up to this time;

(d) who the members of the bank are;

(e) whether it is a fact that only agriculturists are taken as members; and

(f) whether it is a fact that the bank grants loans only on the mortgage of wet lands?

A.—(a) The answer is in the affirmative.

(b) It was started on 31st March 1937.

(c) Applications for loans to the extent of Rs. 28,800 were received. Of these, one application for Rs. 2,000 was sanctioned and the loan disbursed; two applications for Rs. 7,000 were rejected; and six applications for Rs. 19,800 are pending disposal.

(d) A list[a] of members is appended.

(e) Persons who own agricultural land in the area of operation of the bank are eligible for admission as members.

(f) Loans are granted on the security of wet and irrigable dry lands.

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[a] Printed as Appendix IV on page 695 infra.

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Representation of Harijans on the several panchayat boards and unions in the Kurnool district.

155 *Q.*—SRI S. NAGAPPA: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) the number of panchayat boards and unions in the Kurnool district;

(*b*) in how many boards Harijans are represented and the names of those boards; and

(*c*) in how many boards Harijans are not represented, the names of those boards and the reasons for not giving them representation?

A.—(*a*) There are 167 panchayats in the Kurnool district of which 15 were called "unions" prior to 25th August 1930.

(*b*) & (*c*) A statement[a] containing the information is appended.

Provision of compulsory physical training in girls' schools.

156 *Q.*—MRS. KHADIJA YAKUB HASAN: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether any arrangements have been made in girls' schools for compulsory physical training; and

(*b*) if the answer is in the negative, whether the Government will consider the advisability of introducing a suitable scheme at an early date?

A.—(*a*) Physical training is part of the curricula in all institutions for girls and it is compulsory in all elementary schools.

(*b*) The question does not arise.

Medical inspection of girls' schools.

157 *Q.*—MRS. KHADIJA YAKUB HASAN: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether there are periodical medical examinations of students in girls' schools by lady doctors as in the case of boys' schools; and

(*b*) if not, why not?

[a] Printed as Appendix V on pages 696–698 infra.

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A.—(*a*) & (*b*) The Government have not arranged for the periodical medical examination of boys or girls in schools. The question of medical examination of school pupils is under consideration.

Details regarding the area cultivated, the population and the total revenue collected in the Ducharti mutta, East Godavari district.

158 *Q.*—Sri P. PEDDA PADALU: Will the Hon. the Minister for Revenue be pleased to state with reference to the Ducharti mutta, Peddapuram Revenue Division, Yellavaram taluk, East Godavari district—

(*a*) the area of the cultivated wet land, the area of the cultivated dry land, and the rates levied (wet and dry);

(*b*) the number of "kavulu ryots"; the number of ryots in arrears;

(*c*) the population of the mutta in question;

(*d*) the total revenue collection for the year 1936 under the heads of:

(1) cess,

(2) land revenue,

(3) tax on tamarind trees, and

(4) water-tax;

(*e*) the total revenue collected in the years 1924, 1927, 1930, 1933, 1936 and 1937; and

(*f*) the value of the "Mutta Sannadu"?

A.—(*a*) *to* (*f*) A report has been called for.

Sannadhu values of muttas in the Narasapatam division, Gudem taluk, Vizagapatam district.

159 *Q.*—Sri P. PEDDA PADALU: Will the Hon. the Minister for Revenue be pleased to state with reference to Narasapatam division, Gudem taluk, Vizagapatam district—

(*a*) the Government Mutta Sannadhu value and the Government Mukhasa Sannadhu value;

(*b*) Zamindari Mutta and one of its Mutta Sannadhu value; and

(*c*) Mukhasa "Tegala Mutta" Mukhasa Sannadhu value?

A.—(*a*) *to* (*c*) The Government have no information but have called for a report.

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[*Note.*—**An asterisk (*) at the commencement of a speech indicates revision by the Member.**]

GOVERNMENT BILLS.

II.—THE MADRAS MINOR PORTS FUND BILL, 1938 (L.A. BILL No. 20 OF 1938).

* THE HON. MR. YAKUB HASAN:—" Mr. Speaker, I beg to present the Report [a] of the Select Committee on the Madras Minor Ports Fund Bill, 1938, and to move—

'*that the Bill as amended by the Select Committee be taken into consideration.*'

" The Report is now before all the members of the Assembly. I may mention in this connexion that this is a unanimous Report of all the members of the Select Committee. In my speech on the motion to refer this Bill to a Select Committee, I had observed that the Government were only taking power to leave a certain balance in the Ports Fund and then to transfer the amount in excess of that figure to the credit of the general revenues of the Province. I had said that we did not intend to take away all the funds that were available. What I had in view was that a certain amount may be reserved for some time to meet the requirements of the ports, whatever improvements may be found necessary. In my speech, I had also said that whatever might be the cost of the improvements that might have been asked for, the amount that the Minor Ports Fund may be required to pay, may not exceed 12 lakhs. I had also shown that from the normal surpluses that will accrue, we will be able to meet all the requirements of the ports after they have been examined and found feasible. My idea was to keep a certain amount in reserve in addition to the permanent balance of 5 lakhs. But it was found in the Committee, that, instead of keeping two reserve funds separately, 20 lakhs may remain in the Minor Ports Fund itself, and this decision has been arrived at unanimously. I have much pleasure in presenting the Report of the Committee to the Assembly and move that the Bill as amended be taken into consideration."

The motion was put and carried and the Bill was taken into consideration.

Clause 2.

Clause 2 was put and carried.

Clause 3.

* SRI G. KRISHNA RAO:—" I have given notice of certain amendments but I do not think it necessary to move them. I therefore withdraw them."

The amendments were deemed to have been withdrawn.

Clause 3 was put and carried.

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[a] Printed as Appendix VI on pages 699—701 infra.

Clause 4.

*-THE HON. MR. YAKUB HASAN:—" I move—

'For *the existing clause* 4, substitute *the following*:—

"*Such portion of the balance standing to the credit of the Minor Ports Fund on the 31st day of March in the year* 1940 *or in any subsequent year, as the Provincial Government may with the approval, by resolution, of the Madras Legislative Assembly, determine, shall be credited to and shall be disposed of along with the rest of the revenues of the Province.*"'

"The idea is the same but it has been put into better and more legal language."

The amendment was put and carried.

Clause 4 as amended was put and carried.

Clause 1 was put and carried.

The preamble was put and carried.

* THE HON. MR. YAKUB HASAN:—" I beg to move—

'*that the Bill be passed into law.*'"

RAO BAHADUR SIR A. T. PANNIR SELVAM:—" Sir, to a careful reader of the original Bill and the Bill as reported on by the Select Committee, it would appear that the Report of the Select Committee is a considerable advance on the original Bill itself. To that extent, I am sure the House ought to be thankful to the Government for acceding to public opinion. But it seems to me, Sir, that this Bill contains in it the germ of a very wrong principle, which, I hope, would not be allowed by the Government to influence them. The evil of the principle is this that a fund which was originally collected ostensibly for a particular object, has to be used for another purpose which has not the least or remote connexion with the original object of the collection. Apart from that, as I said, the amendments effected in the Select Committee are of considerable importance. Instead of leaving a balance of 5 lakhs, the balance to be left as a permanent figure is 20 lakhs. So there will be available for the purpose 15 extra lakhs. Another salutary amendment has been incorporated as a result of the Select Committee in that instead of the Government automatically adjusting any surplus over the prescribed maximum, they will have to come to this House year after year and take the approval of this House for the appropriation of this surplus amount.

" I think the House is entitled to have information from the Hon. the Minister for Public Works as to what in the opinion of the Government are the needs of the 120 or 115 ports in the Presidency. We know generally that their condition is not very satisfactory; we know also that every one of them would admit of

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improvements, and would admit of greater facilities being provided to shippers and merchants, and that there is room for other conveniences. It may be that we cannot at once visualize all the possible improvements that might be effected in the ports; it may be that we are not able to bring these various ports to an ideal state. But anyway, this diversion of 40 lakhs of the Ports Fund is 4 p.m going to be an accomplished fact. All that I ask is, that before that is done, the House should be made aware by the Government as to what the requirements and needs of the ports which they have in mind for immediate improvement, are. I hope the Hon. Minister would be good enough to give us this information."

* MR. J. NUTTALL:—" On its return from the Select Committee, the Minor Ports Fund Bill has been improved in one respect only, and the interests on whose behalf I speak are most grateful to the Government for having increased the minimum reserve provided for in the original Bill by the sum of Rs. 15 lakhs.

" From this side of the House enough has probably been said in opposition to the Bill on the grounds of 'legalized robbery,' and I will say no more on this point. However, the fact remains that the minor ports and others connected with the imports and exports business have always looked upon the Fund as for their own use, and this has given rise to the resentment expressed against the Bill. The group to which I have the honour to belong still feels that in principle the Bill is wrong.

The Government's ambitions are obviously the raising of more revenue, but in carrying their plans into operation they are imposing a tax on one group of ports and not on others. We, as traders, have a decided grievance against this policy of discrimination. The passing of the Minor Ports Fund Bill amounts to this: It taxes one man and not another. It is just as though a servant of the Government of India was allowed exemption from income-tax whereas a servant of the Provincial Government was compelled to pay in full.

" Should this Bill be passed, I hope that the Government will in future watch most carefully the volume of trade passing through each of the minor ports. If there is a single instance which shows that trade is diminishing, it will indicate, in the majority of cases, that the agriculturist is not finding it possible to make use of what has been, and still can be, the easiest and cheapest outlet for his produce.

" We have been assured by the Hon. Minister that although this Fund is being depleted so heavily, the interests of the minor ports will receive every consideration and their needs will, if necessary, be met from the general revenues. We thank the Government for this assurance which has been greatly appreciated by the ports concerned.

"I commend these views to Government and hope that because of the principles involved, and the fear of all bodies who have been fortunate enough to accumulate funds for their benefit that such reserves are not safe in the hands of Government, the Hon. Minister for Public Works will take this, his only opportunity to withdraw his Bill."

* SRI T. T. KRISHNAMACHARIAR:—" Mr. Speaker, on behalf of the community I have the honour to represent here, I have to reiterate the fear that still lurks in the minds of the merchants, viz., that the diversion of funds from the Minor Ports Fund is not the right thing to do. Naturally, Sir, not being politicians who are aware of the changes in the ideas of what is right for a Government to do and what is not, the merchants are still largely guided by considerations of the nineteenth century economics, and hence the attitude that we have adopted towards this move on the part of the Government appears justifiable to us.

" Sir, there is no point now in speaking again on the principle underlying this measure. All that is past history. I should, however, like to associate myself with the feelings of gratification expressed by the hon. Member for the European community at the manner in which the Government have met our recommendation for an adequate reserve to be kept in the Fund, to meet the immediate needs of the minor ports. We are further very grateful as a community for the assurance which the Hon. the Prime Minister gave us on the floor of this House on the last occasion, when this Bill was under discussion, that the minor ports are Government property and that they will be looked after by the Government and will not be neglected as in the past. I hope, Sir, the fact that such an assurance has been given will be borne in mind by the Government and that by their future action the fears now entertained by the merchant community will be dispelled. We are glad, Sir, that 20 lakhs have been left in the Fund, but more than that we are glad of the spirit shown by the Government, by the Hon. Mover of this Bill, during the discussion of the Bill in the House on the last occasion and at the Select Committee stage. We hope that that spirit will be always present and that an investigation will be set on foot to see what the needs of the minor ports are, and how the money left over in the Fund should be spent on them. I hope the Hon. Minister will give us an assurance once again that he will take the matter in hand. Sir, I have nothing further to say against the Bill in its present form."

Sri N. S. Varadachariar rose.

MR. SPEAKER:—" In what capacity does the hon. Member wish to speak? "

* SRI N. S. VARADACHARIAR:—" On behalf of the Government also, Sir."

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MR. SPEAKER:—"Then let the Hon. Minister speak."

* SRI N. S. VARADACHARIAR:—"I want to answer certain objections."

MR. SPEAKER:—"The Hon. Minister can answer them."

* SRI N. S. VARADACHARIAR:—"I want to say a few things, Sir."

MR. SPEAKER:—"On behalf of the Government?"

* SRI N. S. VARADACHARIAR:—"In answer to the objections raised on the other side of the House."

MR. SPEAKER:—"Does the Parliamentary Secretary think it proper that he should speak on matters which do not concern his department, when the Hon. Minister concerned is present?"

* SRI N. S. VARADACHARIAR:—"The question of propriety is one for me to determine in consultation with the Hon. Minister."

MR. SPEAKER:—"Has the Hon. Minister (for Public Works) permitted the Parliamentary Secretary to reply?"

* SRI N. S. VARADACHARIAR:—"With due deference to . . ."

MR. SPEAKER:—"I think there is a certain amount of misconception in the minds of the Parliamentary Secretaries in this House. They are part of the Government, if they want to function as Parliamentary Secretaries, although administrative and executive functions have not been definitely assigned to them. It is only with the consent of the Ministers concerned that they can answer on questions of policy."

* THE HON. MR. YAKUB HASAN:—"Mr. Speaker, Mr. Varadachari asked me whether he can speak on this motion; and I said 'Yes'. He has studied this question. Apart from that, I suppose that as a Member of the House he can speak on any motion."

MR. SPEAKER:—"He is not the Parliamentary Secretary of the Hon. Minister. Supposing he commits the Government in regard to certain policies of the Government? But if the Hon. Minister authorizes him to speak on the policy of the Government, I will certainly allow it."

* THE HON. MR. YAKUB HASAN:—"In that capacity, of course, I have not authorized him to speak. I simply gave him permission to speak."

MR. SPEAKER:—"The Hon. Minister's permission is not needed if he should speak only as an ordinary member of the House; only if he is to speak as Parliamentary Secretary and as part of the machinery of the Government, the permission of the Hon. Minister is needed. That position must be clearly defined."

* THE HON. MR. YAKUB HASAN:—"He asked for my permission because I am piloting this Bill. He was not exactly

asking for my permission. He simply asked me, 'Shall I speak?' (Laughter.) That does not mean that he should get my permission to speak. Any member could have come and asked me, 'Shall I also speak on this Bill?'."

MR. SPEAKER :—"That permission is not required. The Hon. Minister could tell such members, 'My permission is not required.' That is the position. If the permission is sought for and given for a definite purpose and object, the matter will be different. The Hon. Minister will have to consider in these matters whether Parliamentary Secretaries or others could be delegated these functions, whether they can pilot a Bill and whether they can answer on behalf of the Government. That is a very responsible thing to do. It will be convenient in cases of this kind if the Hon. Minister authorizes the Parliamentary Secretary definitely to speak on behalf of the Government; otherwise he will be mistaken as expressing the views of the Government."

RAO BAHADUR SIR A. T. PANNIR SELVAM :—"If I understood you correctly, Sir, you said that by becoming a Parliamentary Secretary, a member does not lose his right as a member of the House."

MR. SPEAKER :—"Absolutely not; but to the extent that he is a Parliamentary Secretary, the general policy of the Government towards the Legislature and to the Chair which is guiding the deliberations of the House must be to let the Chair know the extent to which the Parliamentary machinery is functioning here."

* THE HON. SRI C. RAJAGOPALACHARIAR :—"You will excuse my intervention in my capacity as the Leader of the House. The House is a Parliament and the affairs of the Government are in the hands of the Government. If a Member of the Government for any reason whatsoever, at a particular contingency thinks that his Bill had better be spoken on by one of the Members of Government, he is entitled to ask any one of the members of the House belonging to the Government benches to speak, and the House is entitled to hear him also.

"As to whether any statement made by such members would be committing the Government or not, is the point on which the Speaker apparently is exercised. That will be made clear, when and if such a doubt arises, by the Hon. Mover of the Bill; he will take possession of the House, he will explain any difficulty if it arises. It may not be the usual practice for members unnecessarily to inflate discussion without reason; but when an occasion arises, when the Hon. Mover thinks that some light should be thrown on the Bill from more than one point of view, it will be necessary to dispel doubts and difficulties that might have arisen by private members of the House also being asked to speak. But it does not mean that we must be left in a state of confusion. I quite understand that there should be no confusion as to policies. In this particular case, I have no doubt whatsoever. . ."

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MR. SPEAKER:—" In view of yesterday's scene when the Parliamentary Secretaries were opposing a resolution, whereas the Ministers supported the resolution . . ." 4-15 p.m.

* THE HON. SRI C. RAJAGOPALACHARIAR:—" That is in the case of a resolution."

MR. SPEAKER:—" That *makes no difference* . . ."

* THE HON. SRI C. RAJAGOPALACHARIAR:—" But in this case, Sir, I am certain that the Minister in charge of the Bill will not give room for any such doubts or difficulties. Otherwise the result will be this: Only the Opposition members will have an opportunity of speaking and no member on the Government benches will be able to do so, even when it is found that it is desirable to do so, or when a discussion has to be arranged by the *Minister in charge. If a* Parliamentary Secretary should be allowed to speak, all this will be taken into account. But now, the only question that has to be decided is whether a member who is a Parliamentary Secretary, can only speak in his exclusive delegated position as a Parliamentary Secretary on behalf of the Government or as an ordinary member. I submit he can do the latter."

MR. SPEAKER:—" As an ordinary member he can speak. There is no doubt about that. It is an elementary right of every *member of this House. But there is a limit to that.* When Ministers and Parliamentary Secretaries begin to oppose each other, I think it is not sound to allow such a procedure. I think some proper procedure should be adopted so that the Parliamentary system of Government may function well."

* THE HON. SRI C. RAJAGOPALACHARIAR:—" As a reference was made to yesterday, let me be permitted to explain the position. It is only an apparent contradiction. When some general principles are discussed and when compromises are arrived at, we are bound to find such differences between the various conflicting elements, as the principles and the methods will be different from policies—which are all summed up together and which is called a policy. That should not be understood to mean a conflict."

* SRI N. S. VARADACHARIAR:—" Mr. Speaker, I was not prepared for a general debate on Parliamentary practice, but so far as it concerns me, I may say, I *am very much interested in* this Bill; and that is why I offered to speak on this occasion; and also for another reason which I shall presently explain. The hon. Member on the other side representing the Europeans of Madras, Mr. Nuttall, repeated the phrase 'legalized robbery,' which he used in connexion with this Bill on an earlier occasion and also complained, though not very bitterly, that the Provincial Government were pursuing a policy of discrimination and

contrasted it with the policy of the Central Government (which he said was more commendable) in connexion with the Income-Tax Bill."

* MR. J. NUTTALL:—"On a point of personal explanation, Sir. That is not what I said. I merely said 'what might happen'."

* SRI N. S. VARADACHARIAR:—"He says that he only spoke of what 'might happen.' I want him to notice what has happened: viz., that the European group in the Central Assembly have definitely abandoned their claims for any policy of discriminating treatment and have actually helped in formulating amendments which sought to do away with—in so far as it is possible for the Government to do away with—this policy of discriminating protection. But that is beside the point. I shall presently come to the point to explain how this is not 'legalized robbery,' but restoration of property, as the Hon. Premier put it the other day."

MR. SPEAKER:—"I do not know whether all this discussion is permissible in the third reading of the Bill. We have come to the third reading stage of the Bill, but now I see that the House is discussing it as if it were a second reading. I think this sort of dealing with the Bill during the third reading cannot be permitted in any Legislature."

* SRI N. S. VARADACHARIAR:—"Sir, I am not examining the details of the Bill. I am only examining a general point and wish to draw the attention of the House to one important matter, viz., that it is not even the Fund amount that we are taking, but only a number of surpluses which have accumulated from year to year; and this rightly belongs to this Government. I will explain my point in one more sentence. What this Government are now seeking to take by this Bill is not from any trust or from anything in the position of a trust. It is not, for instance, from the shippers' trust fund that we are taking this amount, but only from the balance left over after using the amount for all legitimate expenditure mentioned in the Indian Ports Act from the funds collected, and for the purposes mentioned in the Act and after every item of expenditure mentioned in the Act being deducted from the gross income. So the point does not arise that the Government are seeking to divert some fund which would not have been ordinarily available.

"Only one more word with regard to these minor ports. The number of working minor ports have gone considerably low. Only 54 out of 104 minor ports are operative minor ports, and even amongst these not more than a dozen are important and it will be the duty of every member of this House to see that all our transport arrangements are rationalized and re-organized on

sound foundations, wherein the ports, canals, railways and other means of traffic will all be looked upon as parts of one whole re-organized system with a view to meet the needs of our Province. I desire only to say that the Government will carefully examine the question whether the volume of trade that goes on through these ports justifies the retention of the port dues at their present level, or it would justify even a re-examination of this very question. If this is done, possibly it would facilitate more improvements being effected without touching the balance that is even now left under the Bill.

"Another point that we have to take into account is this: If it is said that the previous Governments have not attended to the minor ports. I would submit that it is not a case that they did not attend to them in the sense that they failed to do all that the Act prescribes for the minor ports. Every thing was done in accordance with the Act, as the Hon. Minister pointed out on a previous occasion. But if attention, in the real sense of the word, is needed, it cannot be given by sticking to the letter of the law but by re-examining the whole process of trade in the Presidency and considering whether an increase in trade would come about as the result of re-adjustment of port dues, or collection of more revenues from these very ports or arrangements made with others connected with ports such as the railways, motor traffic and canal traffic. All this should be investigated so as to secure what I would call the re-rationalization of transport in our Presidency."

THE HON. MR. YAKUB HASAN:—"Mr. Speaker, Sir, Sir Pannir Selvam asked me, Sri T. T. Krishnamachari also made a remark and, if I understand aright, Mr. Nuttall also spoke to the same effect, that Government should study the question of the requirements of the minor ports and they hoped that the money that has been left in the fund would be spent on the improvement of ports and that Government would not allow this money to remain idle. I have already given the assurance more than once that Government are anxious that the minor ports should be made as efficient as possible and I have also given the assurance that all the proposals that have been made for the improvement of the ports shall be examined thoroughly and whatever is found necessary shall be done. Government have always been prepared and are now more than ever prepared to do what they can, so that these ports may play a more important part than they have played hitherto. Sir, the only question is what amount would be actually necessary to be spent on the improvement of these ports. I have given my idea and Mr. Nuttall in this very House has stated that he has a list of proposals with him. He has given me the list

and I say that all these proposals will be examined and attention shall be paid to them. That being the case, I would submit that the improvements of the ports will have the first claim on the accumulated balance in this fund. The 20 lakhs of rupees that are proposed to be left in the Fund are more than enough for this purpose. When this assurance has been given, can there be any ground for attacking the Government that they are taking away from this fund as large a sum as Rs. 40 lakhs that have accumulated in the last 33 years? The agitation so far was based on a misapprehension altogether. I had hoped that I have succeeded in dispelling that misapprehension. After all that has already taken place, I did not think that during the third reading of the Bill the same remarks would be repeated that were made before. This Bill has emerged from the Select Committee which examined it thoroughly and came to a unanimous conclusion, the Members composing that Committee, namely, the Member who represented the European Group, the Representative of the Indian Chamber of Commerce, the Representative of the Justice Party, the Representative of the Muslim League and Congress Party members, unanimously adopted the report. This means that they accepted the principle of the Bill that the surplus that has accumulated so far can be transferred to the general revenues after leaving sufficient amount in the fund for the requirements of various ports. I do not think it is right that after having unanimously signed the report they should oppose the Bill at this stage. . ."

SRI T. T. KRISHNAMACHARIAR :—" On a point of personal explanation, Sir. I understand that the parliamentary convention is, that if you are in a Select Committee and if you consent to sign a unanimous report, that does not mean that one has agreed to the principles of the Bill, but that he is in agreement with the Committee's report in regard to the form in which it emerges subject to his objection to the principle, as otherwise it
1-30 will ordinarily be impossible for anybody on this side of this
p.m. House to serve on a Select Committee when Government Bills are concerned. I do not think members of the Select Committee are committed to the principles of the Bill; I think the Hon. Minister is not correct."

THE HON. MR. YAKUB HASAN :—" It was open to the members of the Select Committee to say ' we do not subscribe to the principle of the Bill, but we agree to the surplus of the fund beyond a certain figure being transferred to general revenue '. It was open to them to urge that point. That is the principle on which legislation is usually conducted. Whenever a Bill is considered in a Select Committee, if any member of the Committee does not agree to the principles of the Bill, he puts up a dissenting minute that he does not agree to the principle. Actually there

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was no dissent on the principle of the Bill; all the discussion was on another point; it must therefore be taken for granted that the principle was accepted. . ."

MR. SPEAKER:—" Is this the stage when this discussion should take place?"

THE HON. MR. YAKUB HASAN:—" I simply touched on that point, because some hon. Members who have signed the Select Committee report now say that they did not agree to the principle of the Bill. A suggestion has been made by Mr. Nuttall that the Bill might be withdrawn even at this stage. This is inconsistent with the part that he has played as a member of the Select Committee. That is why I had to make an observation of this kind.

" My hon. Friend Mr. Nuttall has mixed up two things—two separate things. He said that Government are taxing one man to benefit another man; of course some people are taxed for the good of other people; that is one of the principles of taxation. He alleges that if any surplus is left after spending on the ports and if that surplus is utilized for other purpose, it is a tax. He says that in this case it is a tax on merchants, on the importers and on the shipping companies. That is a question for the Legislature to decide in future. When a surplus arises, it will be a question whether its transfer to general revenues should be regarded as a tax on importers or shipping companies or not. When the Legislature considers on a future occasion that more funds should be transferred to the general revenues, it will be for it to consider whether it is a tax or not. In my opinion, it is not a tax: to consider it a tax is a mistake. Now it is a question of dealing with the surplus that has already accumulated. If after providing a sum of Rs. 20 lakhs for all needs and improvements, we transfer the balance to general revenues, our action is quite justified. After assurances have been given and after a particular sum has been kept aside for all improvements to the ports, I think there should be no hesitation whatever for this Legislature to accept the Bill and to pass it unanimously."

The motion that the Bill as amended be passed into law was put and carried and the Bill was passed into law.

III.—THE MALABAR TEMPLE ENTRY BILL, 1938 (L.A. BILL No. 21 OF 1938).

THE HON. SRI C. RAJAGOPALACHARIAR:—" Sir, I beg to present the Report [a] of the Select Committee on the Malabar Temple Entry Bill, copies of which have been circulated to all

[a] Printed as Appendix VII on pages 702–711 infra.

hon. Members. The Bill was thrashed out in great detail and thoroughly examined. Some members of the Select Committee who did not approve the principles of the Bill and who were against the Bill when the motion for its consideration was made, gave the most valuable help by bringing forward all points which had to be specially considered in view of the feelings on the part of people who did not see eye to eye with us in this matter, and I take this opportunity here to thank particularly those members. I am not saying this merely in a conventional manner, because then it would not be necessary to refer to it here at all; it is because very substantial help was rendered by those members, that I am referring to it here, and because that point should be brought to the notice of the House when it deals with the Bill as it has emerged from the Select Committee. Care has been taken to deal with those difficulties and doubts in the best manner possible, keeping in view the main object of the Bill. For this reason, I might mention that a clause has been added by which, if any institution in the nature of family temples is sought to be included within the ambit of this measure, the Provincial Government propose to take power to examine such cases and to exempt such institntions. That is found in a new sub-clause added to clause 11. Where disputes have arisen already as to whether a temple is private property or not, provision has been made for such disputes being properly dealt witb, before such institutions can be treated as public temples for the purposes of this measure. There was an ambiguity with reference to how the decision should be arrived at when a reference is made, whether it is a majority of the voters registered or whether it is a majority of persons who cast their votes. The intention being the latter, that has heen made clear beyond all possible doubt, by an improvement in the language. These are the main things for which substantial provisions have been made by way of amendments to the Bill at the Select Committee stage. I am glad to say that the Select Committee's Report has come to the House without any dissenting minute. I hope that the House will agree to take up the matter into consideration now: I move—

'that the Bill as amended by the Select Committee be taken into consideration.'"

SRI R. M. PALAT:—"Sir, I would like to say a few words. May I say them at this stage, or at the third reading? If you will permit me to go into some details, I will say what I have to say at the third reading stage; but if you think that it is not proper for me to do so at that stage, I would ask your permission to say them now . . ."

MR. SPEAKER:—"When once the consideration stage is over and the House has passed the motion for consideration, then

the principle of the Bill is accepted by the House and there is no use in discussing it over again at the third reading stage; it is not permissible. So, all the discussion that the members of the Legislature want to have on the principle of the Bill, should be had at this stage. That is proper."

SRI R. M. PALAT:—" Sir, in view of your ruling, I speak now what I have to say. First of all, I should express my constituency's very strong opposition to the passing of this Bill. But before I go into that matter, I will say a few words as to the propriety of my voting against this Bill. At the time of the discussion of Mr. Rajah's Bill, Mr. Karunakara Menon voted against that Bill . . ."

THE HON. SRI C. RAJAGOPALACHARIAR:—" The hon. member seems to refer to what I said. I would like to make it perfectly clear that I do not claim that a member is bound to vote in the same manner on all occasions; I do not consider it *improper* at all; *there is no question of impropriety* at all, for, an hon. Member is free to vote on every occasion as he is then convinced he is right. Let no hon. Member imagine that, when I expressed my surprise at a member who gave his support to the other Bill, not giving his support to-day for a similar measure, I am raising the question of propriety; it raises a question of confusion in my own mind."

SRI R. M. PALAT:—" Sir, I am not referring to the Hon. Minister only; I am referring to Mr. Karunakara Menon also. I will ask him whether he objected to the principles embodied in Mr. Rajah's Bill, that *the excluded classes should be admitted* straightaway into the temples. He said that the feeling in Malabar was very strong in favour of temple entry; then why did he vote against Mr. Rajah's Bill? Did not Mr. Rajah's Bill embody that principle? I ask him whether he voted against that Bill against his conscience and against the wishes of his constituency. Did he vote for it because the Hon. the Minister said that he would bring forward another Bill? Was that sufficient excuse, for no Bill could have gone beyond Mr. Rajah's Bill? Again was it not his duty then to have pointed out to the Hon. the Minister that in Malabar the feeling was so strong for temple entry? Is he not the proper person to inform the Hon. the Prime Minister as to the state of feeling in Malabar? I ask him this question as to why he let down both his constituency and his conscience.

" Then, Sir, as regards his statement that all people in Malabar are in favour of this Bill we have another hon. Member from the Congress side, Srimathi Kuttimalu Amma, saying that the older people are against this Bill. Therefore we have

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Members on the Government side contradicting one another. If Mr. Karunakara Menon was keen on having a Temple Entry Bill, why did he wait till Mr. Rajah introduced his Bill? He could have introduced a Bill himself. Mr. Mahmud Schamnad introduced his Bill, the Mappilla Marumakkattayam Bill. Why did Mr. Karunakara Menon wait till Mr. Rajah forced the Hon. Minister's hands?

" Again, Sir, Mr. Karunakara Menon gibed at the constituency that I represent, and said it was a pocket borough. I do not know what exactly he means by saying that. If he means that my constituency can be led by a few people, he is entirely wrong, because the electoral law, as it now stands, has laid down the method of ballot for the general constituencies as the proper method, on account of the fear that the members of my constituency might influence his voters. Members of my constituency do not vote by ballot but by postal voting. It will therefore be clearly recognized that members of my constituency are able to form and keep to their own judgment and are not influenced by anybody, unlike the voters in his constituency.

4-45 p.m. " Sir, if on the other hand, he was referring to the number of votes which constituted each constituency, I may say that when Parliament recognized that the few voters whom I represent in this House are entitled to a single seat in this House, they also recognized that the value of these few votes are equal in value to the thousands of votes which compose his electorate. Sir, I believe he is labouring under a delusion that all votes are equal in value. Little consideration is necessary on this matter, if we want to come to a proper judgment. I ask him, Sir: Will he himself say that the Hon. the Minister and he are both equally capable of coming to a right decision on any given subject? Every day we see there is so much of inequality among different people, that it is an utter delusion to say that all people are alike.

" Then, Sir, there was a threat from Mr. Kannan that if the janmis opposed this measure, they would all be swept away. I do not think that he himself or anyone on his side can organize any such thing now, and as long as the British people are ultimately responsible for the administration of this country, it is they alone who are in a position to sweep away any one class as they like; and without their will, I do not think any person on the other side can do that.

" Now coming on to the principles of the Bill, when I referred to the Cochin State which adjoins Malabar, where no such law has been passed, the Hon. Minister referred casually in his reply to Cochin being a backwater and asked whether if a backwater intervened between Malabar and Cochin, that fact should be allowed to affect our judgment in this matter."

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THE HON. SRI C. RAJAGOPALACHARIAR:—" Sir, it is not right that such a thing should pass without my clearing it up. I never said that Cochin was a backward place; I referred to the backwaters which are natural things there."

SRI R. M. PALAT:—" Sir, that is irrelevant; we are not concerned here with the physical characteristics of Malabar, Cochin or Travancore. Therefore, if he referred to Cochin as a back-water, I think I was not wrong in taking it figuratively."

MR. SPEAKER:—" You take it figuratively, but he says he referred to it physically."

THE HON. SRI C. RAJAGOPALACHARIAR:—" There seems to be some misunderstanding here. The point then raised was that Cochin was intervening geographically between Travancore and Malabar and there was no point in our depending upon the precedent in Travancore; and I replied that the mere interposition of a canal or a backwater or even a small State will not prevent the identity of customs and manners between Travancore and Malabar having their force. I did not intend to cast any reflection on the progress made by the Cochin State whatsoever."

SRI R. M. PALAT:—" Anyhow, Sir, I understood him that way, and if I misunderstood him, I am only sorry. But that does not matter very much here. In Cochin, there has been no temple entry legislation. In Cochin, we have a Diwan who, I believe, is still a member of the Justice Party—which party I believe is in favour of temple entry; and we have also got a Minister there who is a member of the Congress Party. Both the Diwan and the Minister are therefore in favour of temple entry, and yet, they have not thought it fit to introduce any temple entry legislation in that State.

" What I want to submit next is this: that this is not a temple entry Bill; this is a temple exclusion Bill. By passing this Bill, you are not merely enabling some people to go into the temples, but you are also preventing more people who are now *attending these temples from going there; for*, by throwing open these temples to the excluded classes, what you actually are doing is to prevent the orthodox people from using them any further. Sir, this is an unwarranted interference. You are preventing the exercise of the right of entry of the orthodox caste Hindus who are now worshipping in the temples, and handing these temples to the so-called excluded classes. Sir, it is just like, for instance, putting beef before a starving Brahman after it has been touched by a Mussalman and asking him, ' Why don't

you take the food? I am giving you food.' The feeling among the orthodox Hindus using these temples in common with the excluded classes is as great as the feeling in either of the cases I have referred to, to use the food placed before them which they cannot use but which is eaten by the others. Therefore, I say that in practice you are passing this legislation in the problematical hope that certain classes of Hindus will feel relieved. It is not so. The members of the excluded classes who demand this temple entry are only the politically advanced classes. And it is well known that the politically advanced classes among the caste Hindus do not go to the temples at all, as is also the case with the excluded classes; I am sure this fact cannot be controverted by anybody here.

"Again, as regards the orthodox among the excluded classes, I think that even if you allow them into these temples, they will not go there, because there is an internal doubt in their minds whether they would be justified in going there. Therefore I ask, for whom are you passing this law? I say it is only to placate the politically advanced depressed classes; and for that it would have been much better if a law were passed in this House to the effect that all Brahman eating-houses should be thrown open to the Harijans. That would be more useful in practice. So long as that has not been done, there is no meaning in passing a measure like this; for, if such a law is to be passed, it will have to be passed for the whole Presidency; you cannot victimise a particular district. Here also, you cannot single out Malabar for this purpose; and if such a law is passed for the whole Presidency, I am sure during the next elections, a good number of votes will be lost for the party which passes such a law. So, Sir, I say that it is not those places which the excluded classes want and would find most useful to them that are being thrown open by this measure, but only a few temples which would not be used by them to any great extent, and by throwing open which you are preventing the orthodox people from worshipping.

"Then, Sir, I should have thought that it would be fair if at least these temples were to be divided and thrown open on a population basis; i.e., if some temples were kept reserved for worship by the orthodox people in proportion to their population, and the others were thrown open to all classes. It is not fair, Sir, to throw open all temples in Malabar and thus prevent the orthodox from using any temples at all. I believe the object of the Congress party can be attained if a few of the temples are thrown open to all classes; because, although the Government cannot compel the caste Hindus to go and worship in these temples, they can at least know to what extent they are successful in their attempt to have common worship in temples.

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"I shall conclude, Sir, by saying that in this Bill there are a number of sections which give discretionary powers to the Government. I only hope that the Government will, under those sections, take care to see that only a very few temples are in the first instance thrown open to all classes; and if they decide to open only a few temples in the first instance, that would be the way of least hardship."

* SRI G. KRISHNA RAO:—" Mr. Speaker, I have spoken at length on this Bill protesting against it, and I think I have to say very reluctantly that in spite of the assurance given by the Hon. the Premier, the Report of the Select Committee has not been quite satisfactory; at any rate, I do not think there is anything satisfactory in that Report, so far as I am concerned.

"I have already brought it to the notice of this House clearly that as the leader of a powerful political party, the Hon. Premier should realize that this issue ought to have been placed before the electorate when his party fought the elections. Sir, the Congress party did not do it then. But when I pointed this out, the Hon. the Premier answered that the people, who had successfully sent his party men to the Assembly, had known fully that his party men were the holders of radical principles; and if such people had been returned by the electorate to power, it was only fair that legislation should be undertaken by them to the extent to which they held such notoriously radical principles and to the extent to which they possessed the powers of a majority. I am afraid, Sir, that this kind of analogy may be good in places where political development has been going on for a very long time, but not in a country like ours. Sir, the Hon. the Premier is a man of experience and he has known many things with regard to public life in this country, much more than most of us here; and he cannot say that the Indian people are a highly politically-minded people and that any kind of legislation brought forward by a party put into power by politically-minded people would be acceptable to them. He understands full well that our country is primarily and deeply religious-minded and not politically-minded. This is a fundamental thing which everybody knows, and I do not think we have gone too far in the way of political progress to think that we are a politically-minded people and compare ourselves with Europeans, or Americans, or any other nation. I therefore think that it would have been a straighter course for him—if I may be excused for using this expression—to have placed this matter definitely before the electorate and told them specifically, 'We are holding such and such views in this matter, and we are going to bring in legislation to this effect.' If that had been done before definitely, I am sure, Sir, this question would not have come up at all before this House. He said, Sir, 'We are standing for a notoriously radical principle.' We know, Sir, the ideology of the

removal of untouchability; the ideology may be there; it may be very good. But we do not all of us follow that ideology; it may be that we would like to follow it little by little. So I say, let us translate this ideology into an actual fact; but before doing it, let us place this particular portion of that ideology before the public who have returned us to this House. If that is done, surely the blame would not attach to you so much then for this legislation, as it attaches to you now.

" It may be said, Sir, that we are going to have a referendum under this Bill and all that kind of thing. Here again, the Hon. Premier is mistaken. Because a referendum is not a thing which you are going to have here fully; it is going to be a sort of half-hearted referendum. You are confining this referendum after all to the Legislative Assembly electorate which is a restricted electorate, especially because most of the caste Hindus who are voters to the Legislative Assembly may not be the people who have got correct ideas of sanctity of temples and most of them may not be temple-goers.

" So, however much you may say that the Select Committee has liberalized these provisions in the Bill, I am afraid this Bill does not reflect properly public opinion, particularly the opiuion of that kind of public who are authorized to give their votes in regard to this particular matter of temple entry for the excluded classes. However much we may all agree that the referendum is the best method of knowing the people's mind, we must differ with regard to such referendum in regard to religious matters. That is, however, a different matter. When once it is agreed that a referendum should be held, by all means let us have it; but what I want to say is that it should be held in the proper manner. Place the whole question before all the caste Hindus, give them an opportunity to express their opinion in the matter, whether it be for acceptance or rejection; that is what the Government should do. In that respect, Sir, I am afraid this Report of the Select Committee is not at all satisfactory.

5 p.m. " Then, Sir, with regard to the analogy of Travancore having brought in such a legislation, I have told on the floor of this House that it is a different matter as far as we are concerned. There it is a question of mandatory legislation, and here legislation is based on public opinion. What is the use of bringing in the example of mandatory legislation as an analogy to a legislation of this kind with which we are now dealing? I have not been able to understand it, and the Hon. Premier has not expressed it clearly as to how that analogy holds good in this Province. I think it is a mistaken analogy, because it is not based on democratic principles. How can you say that a legislation which has been brought by crushing down public opinion,

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would be a safe guide to us here, when we are dealing with a piece of legislation based on popular opinion? I am afraid, Sir, the analogy is rather misleading. I would therefore like an expression of the opinion of the Hon. Premier with regard to this matter.

"Lastly, Sir, there is no consensus of opinion with regard to this matter among the Harijans themselves, as pointed out by the leader of the Harijan community, Diwan Bahadur R. Srinivasan in a statement issued by him in the *Madras Mail*. But the Hon. the Premier has brushed it aside by saying that it is only a newspaper article and that we should not talk about newspaper articles. I ask, is it a newspaper article? It is the opinion of the leader of the Harijan community, Diwan Bahadur R. Srinivasan, whose opinion I have expressed on the floor of this House. He says that it is likely to cause trouble and he does not want temple entry; he says that the Harijan community will not get any advantage out of it, and he even fears that it might create dissensions among the caste Hindus and the Harijans and start unprofitable controversies which will increase the difficulties of the Harijans. These are the difficulties of the Harijans themselves. In these circumstances, and in spite of my having quoted the elaborate statement published by Diwan Bahadur R. Srinivasan, I am not able to understand why it should have been brushed aside as a mere newspaper article.

"Then, Sir, with regard to my hon. Friend, Mr. M. C. Rajah, he is openly questioning your *bona fides*. He says that caste Hindu tyranny is being practised by the Ministers; what answer have the Ministers given to that? He has said it openly. He says with regard to the formation of Harijan boards and the appointment of managers of Harijan hostels, 'There is caste Hindu tyranny going on; beware of the thraldom of the Congress people; take care; and so on.' What did the Ministers do to contradict that statement? I say that this Bill is unwanted, inopportune and out of place. Why do you go on with a Bill of this sort when it is not wanted by the country at the present juncture? Who wants this Bill? Has there been agitation on the part of the Harijans pressing for this measure? Has there been any kind of public opinion so strong and so forcible as to make the Government bring forward this Bill? I do not think there is any such urgency for this Bill. I would rather like the Government to go forward gradually; and after passing the Removal of Civil Disabilities Bill, it would have been much better if a measure like this had not been brought in. You should give time to the Harijans to progress and advance economically so that they may get themselves fit, before passing a Bill of this nature. At the present moment, I say it is not practical politics and this Bill is not at all wanted. I therefore oppose it."

* K. ABDUR RAHMAN KHAN SAHIB BAHADUR—" Mr. Speaker, it may look rather strange that I should speak for a second time on a Bill like this; I think it is not necessary on my part to give detailed suggestions. Nevertheless, I believe certain points have got to be touched, because on a perusal of the Report of the Select Committee, I find that the Committee has not taken the step forward, but it has gone back on what was provided in the Bill as it was originally drafted. Last time there was a charge made against the Mover of the Bill that it was not a bold measure and the Hon. the Premier was kind enough to give a reply. I thought the matter stood there. Now, I find that a really retrograde step has been taken. It is clear that the Harijan community itself wants this reform. If you too are really satisfied that such a reform should be taken up and that it is desirable also that it should be taken up, then the whole thing must be taken up in a bold spirit.

" According to the Report of the Select Committee, we find that temples have been classified into three categories, namely, public temples, private temples and family temples. The Harijans are not entitled by this piece of legislation to enter either the private temples or family temples; because in the case of the former they are closed to them by law or by the Endowments Board; and in the case of the latter, the family temples, there is provision made in the Bill itself to exclude them. The only temples that will be open to them are the public temples, and it is for such temples we are passing this legislation. I want to know how many temples there are which will be left after deducting the family temples and private temples; perhaps only a very small fraction. And even for that very small fraction of public temples, we have laid down so many restrictions. For instance, there is the referendum; the educated electorate has to vote and 50 per cent of the people have to vote in favour of temple entry. Again, Sir, even with regard to these public temples, so far as I can see, there is no possibility of the Harijan people being able to get entry into them so easily as we imagine now. To my mind, it appears, as though we are enacting a legislation in a half-hearted manner. I do not impute any motives to anybody; but my feeling is that we are proceeding with the measure in a half-hearted manner.

" There is another aspect of the matter to which I would like to refer. There is a provision in the Bill according to which representations to the Government have to be made by the trustees of temples on receiving requisitions from voters for throwing the temples open. This is a new thing that has been introduced by the Select Committee. Formerly, there was no such provision in the original Bill. I cannot understand the necessity for a provision of this kind.

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" There is one more thing I have got to say, Sir. It is with regard to worship. Worship has now been defined in the Report of the Select Committee. According to the Report we find that the trustees are authorized to frame rules and regulations regarding the rites and ceremonies to be observed in these temples. But, I am afraid, these trustees who are going to frame these rules and regulations will make them pretty hard for the Harijans to take part in those rites and ceremonies, so much so that they will not find it easy to go to temples and join in the worship.

" Another thing I wish to mention is, now that the temples are divided into various classes it looks more probable that the caste Hindus will confine their worship only to the private and family temples and leave the public temples to the Harijans. In that case, the very basis of our reform is gone. We are trying to see that the Harijans come into line with the caste Hindus in the matter of worship; but when you separate the private and family temples from the public temples, the tendency on the part of the caste Hindus will be to leave the public temples to the Harijans alone and choose other temples for themselves. I wish to say only this much and I make these observations in all sincerity and in the hope that I will not be misunderstood."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—" Sir, as I explained the other day, my grievance against this Bill is not that it goes too far, but that it does not go far enough. My objection was also based on the score that Malabar, of all the districts in our Province, is the least suited at this juncture for a measure of social reform such as this one is. I do not wish to repeat the arguments that I advanced on the occasion when this Bill was introduced, but I wish, Sir, to place before this House one or two facts which have been brought to my notice quite recently. We talk so much about the Proclamation of the Maharaja of Travancore, regarding the admission of the depressed classes into temples. But, I would like to know from the Government whether it is a fact that the private temples of the Senior Maharani of Travancore were excluded from the purview of that proclamation. If so, what was the reason for that? Again, Sir, I have been informed that before the celebration of the marriage of the daughter of the Senior Maharani quite recently . . ."

SRI K. P. YAGNESWARA SARMA:—" On a point of order, Sir. How is this relevant? "

MR. SPEAKER:—" It is not a point of order. The hon. Member may go on."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—" Thank, you, Sir. Is it a fact that before the marriage of the daughter

of the Senior Maharani of Travancore was celebrated quite recently, it was found necessary, according to the existing *shastras* governing Travancore, that the temples should be purified and that such a purification process took place? If that were so, the case of Travancore wherein the order had been promulgated and where presumably the Raj itself is cogitating over the wisdom of the act, I should like to ask whether it should be taken as a sample or model for us and whether Malabar should be subjected to the same terms and conditions to which Travancore has been subjected.

"Again, Sir, in the case of Cochin, my hon. Friend, the representative of the janmis of Malabar, has stated how in Cochin where the administration of the State is in the hands of two gentlemen representing two schools of political thought diametrically opposed to each other, except on this one point of temple entry, they have not thought of bringing in a measure concerning the temples in Cochin; though, I believe, according to the custom there, the Diwan himself, Sir Shanmukham Chetti, would he excluded from admission to the temples there.

"There is just one other reason why I think, Malabar of all places is the least suited for this process, and it is this. I believe, there is a custom, and I am sure I will be corrected if I am wrong, by which as far as the temples of Malabar, Travancore or Kerala are concerned, generally several of the so-called higher castes of the Tamil districts will be excluded from admission. I also understand that if a gentleman like my Hon. Friend, the Hon. the Minister for Education, and Member representing the constituency of Tiruchengodu and Salem, who has got admission to all temples in the Tamil districts, sought admission into the temples of Malabar, he would be excluded. I can understand a piece of legislation which is going to concern Malabar alone, which by customs, manners, traditions, languages and things like that stands on a footing different from the rest of the province. I can understand a measure being passed so that the Malayali Hindus, who are now excluded from admission into temples, shall have admission; logically speaking, I can understand that. But who are we to say that the Malabar Hindus, who are a distinct and separate class of people from the Tamil Hindus or the Andhra Hindus, shall be compelled to throw their temples open not merely to the Malabar man, but also to anybody from the Tamil districts and the Andhra districts who have not got access to them?

5-15 p.m. "That aspect of the matter has been overlooked according to this Bill. If the procedure prescribed in this Act is gone through and we declare open the temples to the excluded classes,

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the excluded class man can ask for admission into the temple, from whichever part of the world he may come from provided he is a Hindu. That seems to me to be pitching our aim rather too high. That is why I said, Sir, that we should go to another place where there are no such internal complications and difficulties. We have got Tiruchengodu in the Salem district for instance.

" As regards the voters, Sir, I am not still able to reconcile myself as to why the Harijans should be excluded from the voting. Why should we exclude the excluded classes from having a voice in the matter? I cannot understand, accept or recognize the inferior position that has been given to the excluded classes in the matter of exercising their votes. The high class people were so anxious that they should not cut themselves away from them; one very great man went so far as to fast unto death in order to keep them tied to you and in order to force them into saying that they will be part and parcel of yourselves. For political purposes, you wanted them to be part and parcel of yourselves, and that against the protests and representations of their leaders. Why now, Sir, do you claim to be separate and distinct from them? It seems that a distinction is imposed here.

" Therefore, I submit, Sir, that if you want this reform to be a success and be a settled fact in our country, you should try it in a place where there is less objection and if you think it desirable that a refrendum is necessary, let it not be among those that have admission to the temple at present. Let it be decided on a referendum to the whole of the Hindu community. My considered opinion is that without changes in this direction being made in the Bill, it will be hardly worthy of being passed and I am afraid that it will remain a dead letter on the statute-book."

* SRI B. S. MURTI :—" Mr. Speaker, it may indeed look paradoxical that we, in this House, should be discussing a measure of this nature at this late hour in the matter of human progress, when in the Western countries temples are being abolished or boycotted or destroyed. But we, in India, are in a peculiar condition. Indians are by their temperament and outlook religiously minded and they look more to ethics and morals than to material progress. India in that way has a mission to perform towards the rest of the world, especially now, when the nations of the West are trying to wipe out one another in the name of national sentiment and patriotism.

" Speaking on this Bill as a representative of the Harijan community, and belonging as I do to the younger section of the

community which is supposed to be very enthusiastic in this regard, may I express the feelings of the Harijans that they are not as much anxious as most hon. Members imagine them to be in respect of entry into temples? They want food, they want raiment, they want shelter, they want education and they want employment. In short, they want a betterment of their economic condition. Recently, I had been to districts which had suffered much on account of the cyclone, and wherever I went along with the Minister for Revenue, the Harijans gathered round us and appealed to us for food and for water. Such is the pitiable condition of the Harijans in this Presidency. I am sure that all the seven million Harijans of this Province are looking to us to-day for more food, more comfort and more happiness.

" It may be asked, ' Why, when their condition is such, do you bring in this legislation? Are you quite sure that they are going to enjoy any benefit by throwing open the temples to them? ' That is not the question. The Congress Ministry has a duty to perform towards the Harijans and they are doing it. Members of the Opposition asked us whether we had sent the Bill for eliciting public opinion, whether the opinions of the temple-going public had been ascertained and whether they were with us. This question need not have been put and we need not take the pains to answer it; because, as I said, the party is wedded to the principle of wholesale amelioration of the condition of the Harijan; and unless and until this social and religious impediment is removed and he is made to feel that he is not socially inferior to others of the Hindu community, and he is given the status in the Hindu society along with the Brahman, nothing will satisfy this Government and the Congress party.

" When we went to the country, when we sent our election manifestos, when we appealed to the public to support us in the elections, there in our speeches, there in our hearts, there was always this fundamental question as one of the items to be striven for and attained. This question has always been before the public; it has always been before the electorate and the country. Therefore, we need not at this late hour waste the time of the House in asking for public opinion to be expressed in favour of the Bill. Public opinion has always been with us. If we are proceeding slowly, it is because we want to be cautious and that is why we had to displease some of the Harijan members of this House by throwing out the Bill introduced by my hon. Friend, Mr. Rajah. Let them not on this account think that our aim, our intention and our policy are any the least different from theirs.

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"Let me now come to the utility of a legislation of this nature and deal with the purposes it serves. When once the Harijan is allowed to enter the temple, with his head erect, having nothing to doubt or fear, then untouchability will at once vanish. My hon. Friend, Mr. Rajah, addressing a big gathering at Bombay, observed that temple entry was the crux of the Harijan problem. When once entry into temples of the Harijan is recognized—he may go or he may not go to the temple; he may get *darshan* of the God or not—he will no longer be an untouchable; and he will have all the facility to which any other Hindu is entitled and the way would be clear to him for enjoying all the privileges that are being enjoyed by the richest Hindu in the Province. The economic condition of the Harijans would be bettered to a very large extent. They can get employment from the other Hindus. When I say that they will be given employment, I do not mean that they will be doing menial service for the Hindus. Not at all. As I said, their economic and social position will be bettered and there would be no bar between them and happiness. Until that time we shall work for our uplift, and this is only a step forward towards its achievement.

"There is a vital point involved in the passing of this measure and that is winning freedom for the country through solidarity among our ranks and cementing the cracks in the structure of Hindu society. Our men have sufficient courage to demonstrate to the world when occasion arises that they are for freedom, uncompromising freedom. We take lessons from what is happening around us. We see communal riots taking place everywhere. The Hindu community is a large community and there are caste differences in it; but no patriotic Indian would like to see two sections in that community, one of them being untouchable, crossing swords with each other. Untouchability took root in the Hindu society some centuries ago, and for that sin we should not be flying at each other's throat. We should forget and forgive. But strictly speaking, if the vindictive feeling were to guide us in our actions, I know that the Harijans, if they are given the power, would go on cutting the throats of the caste Hindus. That is not what we want. The motive to wreak vengeance should at once be brought down and curbed. No doubt, it is true that the Harijans in the countryside, at any rate in some villages, are being ill-treated and are subjected to all enormities. Notwithstanding that, they are not at all vindictive. They are loyal, obedient and fraternal servants of the caste Hindus. They do not quarrel if they are not paid properly, and they do not think of taking vengeance if they are ill-treated.

"Sir, we want all differences to be composed. That is why 5-30 on the one side we have to appeal to the caste Hindus who say p.m. that we are spoiling sanatanism; on the other hand, we do not

want to be indifferent towards temple entry. We want them all to go with us. Therefore this legislation aims to compose the differences between the two sections of the Hindu community. This is paving the way for unity and solidarity in this country. Sir, speaking on this, an hon. Member has said that the Government by their many acts are leading the Harijans into thraldom. To support it, my hon. Friend said: 'What have you done in appointing members for the Harijan Advisory Boards'?"

* SRI G. KRISHNA RAO:—"On a point of explanation, Sir, I have to say that I never said anything of the kind. I repeated the opinion expressed by a Harijan member, Mr. M. C. Rajah."

* SRI B. S. MURTI:—"Well, Sir, repetition of the idea expressed is endorsing it and giving it his approval. If I understand my hon. Friend aright, he also believes that we are led into thraldom. In this matter of appointing members to the Harijan Advisory Boards, the Government have taken a different view from that expressed by others. The view of the Government is that expressed by Mahatma Gandhi, the father of the movement. Mahatma Gandhi said that the caste Hindus are sinners; the caste Hindus have done wrong to the Harijans; therefore the task of ameliorating, the task of uplifting, is mainly on the shoulders of the caste Hindus; therefore collecting money, organizing bhajanas, bringing forward any institution to work for the uplift of the Harijans are all duties for the caste Hindus to discharge.

"Therefore even in appointing members to the Harijan Advisory Boards, the Government are anxious to avail themselves of what the Harijan *sevaks* already in the field would advise us to do in this matter. Therefore, in appointing, we have taken all the Harijan *sevaks* already distinguished, already famous for their work in the Harijan world. Again, Sir, we have not forgotten the Harijans. The Harijans also are represented. All the representatives of the Harijans in this Assembly are there; so long as they are here, so long as they are the accredited leaders, any suggestion, any advice, any proposal given to the Advisory Board, or to the department or to the Government is gladly and thankfully accepted. Misunderstandings we may have, but we should not persist in that misunderstanding. And in course of time, this will lead us to happiness and prosperity. With these few words, I commend this Bill to the House."

* THE HON. SRI V. I. MUNISWAMI PILLAI:—"Mr. Speaker, dogs and swine may roam in the sacred precincts of the temples but the shadow of an untouchable is considered abomination. It is to purge out the unholy custom in the so-called holy temples. that the present Ministry has brought this legislation to remove

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this longstanding stigma. My friend, Mr. Abdul Rahman Khan, criticized to a certain extent the new additions in the Select Committee to the Bill. But I may tell you, Sir, that this legislation is the beginning to bring social reform to the unfortunate communities that are called the Scheduled castes. I was greatly surprised to-day, Sir, to see a few of my hon. Friends rise in their seats to oppose legislation of this nature. This legislation, as has already been observed, is a permissive one. I am surprised that my friend, Mr. Palat, coming as he does from the illam of the late lamented Sir Sankaran Nayar, who stood for social reform, should oppose legislation of this sort. (Cries of hear, hear, from the Government Benches). He may represent a cadre of janmis, but may I ask him in all earnestness, whether the Upanishads, the Baghavad Gita or any of the important Hindu scriptures ask them to keep a certain community of Hinduism away from these holy places? It has been proved threadbare that all the shastras give permission to any Hindu to enter into the Hindu temple. It was an equally great surprise to me to see my friend, Mr. G. Krishna Rao, who, I think, belongs to the Vaishnava sect, rise up on this occasion and oppose this Bill. He knows what Lord Krishna taught to the world. Is it not the duty of a true Vaishnava to rise up and support a Bill of this nature? What did Sri Ramanuja do?"

* SRI G. KRISHNA RAO:—"Why was Mr. M. C. Rajah's Bill opposed?

* THE HON. SRI V. I. MUNISWAMIPILLAI:—"We never opposed it; my friend is entirely wrong. Sir, Sri Ramanuja went to the extent of embracing Harijans and took them to several temples. To-day, again, go to Mysore and find out what is happening in Melkota. The hon. Gentleman said 'that a leader of the depressed classes is opposed to temple entry, and why should a Bill of this nature be taken up in this House?' He must know, Sir, that there are 30 accredited elected representatives of the Scheduled castes in this House, and they have in unequivocal terms said on the floor of this House and expressed that they want the Temple Entry Bill. You have seen from the newspapers that there is no opposition either from the Harijans or the caste Hindus to legislation of this sort.

"By nature and temperament, the Harijans are religious. Scratch a Harijan, you will find the religious instinct in him If you have studied the history of Nanda who was come from the fields, the son of the soil, how he entered the sacred precincts of Chidambaram, you will know that the Harijans have got a great religious history behind them. Sir, I think the Congress Ministry has brought this Bill to purge Hinduism of the unholy custom that exists in the so-called holy places, and

I think that most of the members, practically 99 per cent of the House, have voted for a measure of this nature. And I may tell them that if the Bill which has been prepared just now and which will become an Act, is not able to remove those disabilities, the Ministry will find a better pill with better ingredients, so that this unholy custom may be purged out of this country for ever. With these few words, I strongly appeal to the House to pass the Bill into law."

* SRI RAO BAHADUR M. C. RAJAH :—" Mr. Speaker, Sir, it was not my intention to intervene in this debate at this stage. But since some of the previous speakers in their speeches have unnecessarily dragged my name into the debate, I think it is my duty to reply to some of them. First of all, I should like to request my friend, Mr. Palat, to be a little more conciliatory. We have done the best for him in the Select Committee; but for his persuasion we would not have made the provisions under sub-clause (4) of clause 2; we also added, Sir, a new sub-clause to clause 11 [sub-clause (2)], only due to his efforts in the Select Committee. And I think Mr. Palat was entirely pleased with us. I think he said on a previous occasion he was the spokesman on behalf of the orthodox section to-day. Perhaps he wants to pacify them by making another speech here to-day. I think we can forgive him that.

(At this stage, the Deputy Speaker occupied the Chair.)

" And then, my friend, Mr. Krishna Rao, has made some reference and said that the Congress party—of course since the Premier has already asked for my co-operation, I am going to help him in this,—has not mentioned temple entry in the programme which it placed before the electorate. True, they have not; but Mr. Krishna Rao should know that one of the main planks in the Congress programme was the removal of untouchability. (Hear, hear.) "

* SRI G. KRISHNA RAO :—" The voters did not know it."

SRI RAO BAHADUR M. C. RAJAH :—" Now, Madam, Mr. Krishna Rao says that the voters did not know it. But the voters who voted for the Congress must have been Congressmen and therefore they must have known the Congress programme."

* SRI G. KRISHNA RAO :—" What about non-Congressmen who voted for the Congress."

* SRI RAO BAHADUR M. C. RAJAH :—" It is their mistake if they voted for the Congress. Non-Congressmen have no business to vote for the Congress candidates and if they had done so, they will have to suffer for it. (Sri D. Ramalinga Reddiyar : ' Including Mr. Krishna Rao! ')

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Mr. Krishna Rao then referred to a statement of mine issued some time back with reference to the Harijan Advisory Boards recently constituted by the Government. He has spoken of that, and I also should like to say—I am not going to contradict him at all on that point: that was my view and I still hold that view—that the transference of the hostels from the management of the Labour Commissioner to the Harijan Sevak Sanghs is gradually going back to the days of Manu because I am afraid, when the *caste* Hindus are taking up the management of the hostels, whether they will treat our boys properly and will not infuse into the tender brains their principles and policies.

"Madam, I come next to my friend, Mr. B. S. Murti, the Parliamentary Secretary. He said that the Harijans do not want temple entry but all that they require are food, raiment, education and appointment. As against that, the Hon. the Premier. . ." 5·45 p.m.

* SRI B. S. MURTI:—" On a point of personal explanation, I did not say that Harijans do not want temple entry. I said that Harijans in general are not as anxious as most of the Harijan members in this Assembly for temple entry."

* SRI RAO BAHADUR M. C. RAJAH:—" I am grateful to Mr. Murti for making my position very clear indeed. (Laughter.) Mr. Murti says that the Harijans outside this House are not for temple entry, while those 30 members in this House are very anxious for it. If that be the case, why did they kill my Bill on the last occasion? That would have been the best opportunity for them to show their anxiety and they should have supported the Bill. The fact that they opposed it and killed it, is in itself a very clear indication to show that these 27 or 26 Harijans there. were not for temple entry but that the country was for it. Because as a matter of fact, I have been getting a number of resolutions passed in the Andhradesa whence my friend, Mr. Murti comes, stating that they were going to take communal disciplinary action against those Harijan Congress members who voted against my Bill. (Hon. Members: 'Question'.) Only against Harijan Congress members, because in the case of other members they cannot do that. That shows the volume of opinion in the country. . ."

(At this stage, the Hon. the Premier rose, but Mr. Rajah continued his speech. Hon. Members: 'Order, order'.)

* THE HON. SRI C. RAJAGOPALACHARIAR:—" There is no point of order, Madam, Deputy Speaker. I am only suggesting that this is not the psychology for infusing co-operation." (Laughter.)

* SRI RAO BAHADUR M. C. RAJAH:—" I am co-operating with you so far as this Bill is concerned, and if I make these observations, it is because I am only correcting some of the misconceptions that are lurking in the minds of some members. (The

Hon. Premier: 'Yes.') Just as you, as the Leader, can control them, teach them and give them good advice, I think, I too can give them some good advice to the extent I can—and I claim to possess some capacity which entitles me to do so. (Laughter.)

"I am glad on the other hand, my friend, the Hon. Sri Muniswami Pillai, who also belongs to the community, has come forward and said that the volume of Harijan opinion in the country is in favour of the Bill. I am very glad that he has now advanced in his views. Two months ago he was not in favour of the Bill and said that the country was not for it, and now he has changed his view,—and I thank him for that. (Cheers.)

"With reference to Harijan Advisory Boards, my friend, Mr. Murti, unnecessarily brought in the name of Mahatma Gandhi. Mahatma Gandhi did not say, 'Hand over all the depressed classes hostels that are now being managed by the Madras Labour department to the Harijan Sevak Sanghs.' Did he ever say that? I don't think he has ever said that. What he said was that Harijan Sevak Sanghs also should work in the same direction as the Congress Government, just as a double-barrel gun—two independent bodies working together to bring this ameliorative work to success as early as possible. He never said that the Harijan Sevak Sanghs should get into the shoes of the Labour Commissioner, take over the hostels managed by the Commissioner and force their policy and principles on those young men. He did not say that at all.

"I have nothing more to say at present, but shall try to say something more when the motion for passing this Bill into law comes before the House."

* SRI M. BAPINEEDU:—"Madam, Deputy Speaker, I rise to support this Bill for more than one reason. I support this Bill, because I am a lover of freedom, be it political, social or religious. A House which passed a resolution congratulating the Maharaja of Travancore on the temple entry proclamation need not be told the implications of this Bill. I have no faith nor reverence to the law that stands between man and God. I have no faith in that religion that forbids a particular section of the community to worship God. I refuse to pay my homage to that religion, to that priest, or to that set of priests or any society that may stand as a barrier between a *bhakta* and his God. This Bill very rightly seeks to remove these disabilities. I am a Hindu. I love my religion and I am a pure Hindu. I am rational. That is why I support this Bill as every other rational Hindu who believes in the purification of Hinduism must.

"I am only surprised to find that there is a sudden transformation on the part of the heterodox section of this House into

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the orthodox. My Hon. Friend, Mr. Muniswami Pillai, referred to the sudden transformation of Mr. Palat. All of a sudden he became a sanatanist. At present I am not going to deal with him, as I shall return to him later on.

"It makes me sad to think what men are made of. A temple wherein a *bhakta* could not enter is no longer an abode of God. As has been rightly pointed out by Mahatmaji, when a *bhakta* is refused entry into a temple, that temple ceases to be a temple of God but becomes only a heap of stones. Some of my friends coming from Malabar seem to think that by opposing this measure and thus refusing admission to the Harijans, the so-called untouchables or the depressed classes into those temples, they are safeguarding the Hindu religion. But does it really amount to that? To-day the Maharaja of Travancore by throwing open the temples to the Harijans has done the greatest service to Hinduism and he is hailed on all hands as the real purifier of the Hindu religion and as the greatest social reformer of the Hindu society. The Cochin State also will have soon to follow suit; can it not be said that the benevolent Maharaja and his able Diwan who have conferred political liberty on their subjects will not withhold social or religious liberty to the down-trodden Harijans in his State?

"After all, there is nothing new in the principle adumbrated in this Bill. Entry of Harijans into the temples is not a new thing to this country. As was rightly pointed out by the Hon. Sri Muniswami Pillai, in ancient days, that was the custom, but later on this vice of untouchability was introduced in Hindu society. In support of this, I can cite two examples. In the Mysore State, in Melkota, the Harijans are being allowed to enter the temples at certain periods of the year. Similarly in places like Kadiri, Anantapur district, for one or two days in a year, Harijans are being allowed to enter the temple. Customs are peculiar in this country. Our religion is so wide and so cosmopolitan that it affords shelter to all people. But it is only the man-made custom that imposes all these restrictions. I am sure it will surprise the hon. Members of this House if I say that in my own district, the district of West Godavari, in Bhimavaram taluk, Harijans are allowed to officiate as priests and the so-called higher caste people receive *prasadams* and *tirtham* from these Harijan priests. While that is being done, nothing extraordinary has happened; God is there in the temple; Hinduism is there, and sanatanism is there. Such are the customs we have in our country.

"I really congratulate my friends of Malabar on their having been given an opportunity to throw open the temples to the Harijans. Personally speaking, I may say, that if this Bill is to come immediately into force in the Andhradesa in general and

my district in particular, 95 per cent success will be assured. So I hope and believe that Malabar will give a lead in this matter, so that the country as a whole might soon reach its desired goal in this respect.

"Mr. Palat has been so kind as to give us some advice. As I already pointed out, all of a sudden, he became a sanatanist. I was surprised—I was rather sorry to find—Mr. Palat, the son of that late revered social reformer, Sir Sankaran Nayar, is opposing this Bill—for what reason, God alone knows! (Laughter.) He was referring to the Cochin State. Perhaps he is not aware of the forces that are working, politically, socially and otherwise, all over the country. It cannot be said that what is taking place in one part of this country cannot tend to react in another part. That which is happening to-day in the Madras Presidency is bound to have a direct effect to-morrow in a State like Cochin or even Hyderabad. Therefore I hope that Cochin also will soon realize the necessity and that there will be a demand for temple entry from the people themselves.

"Further, Mr. Palat is afraid—as he is always afraid of any measure that we on this side of the House bring in—of the higher castes and said that the so-called higher castes would lose their temples. But I can point out to this House that whenever changes were being introduced in this country, there was always opposition of some kind or other, be it political, social or religious. The world around us is moving fast. The old order of things is fast giving way to the new one, and so it is but natural that these old customs, even if need be, the old established societies, ought to make room for new ones. Opposition in the name of religion, in the name of orthodoxy, will always be, and it was so in the past. Not very long ago, when the late lamented Pandit Vidyasagar introduced the Widow Re-Marriage Act in this country, there was opposition in the name of religion, but really that opposition was based on short-sighted policy and bigotry. What happened when the Sarada Act was brought into force? Was there not a cry that religion would be in danger? Similarly, there are other schools of thought that are always opposed to any sort of reform, even if it be political reform seeking the freedom of our country. In short, those people do not realize, or are not even aware of, the changing conditions in the country. But let us not worry ourselves about them.

"I now come to Mr. Krishna Rao. One of the doubting Thomases that he is, he is always in doubt about everything. He said that he was in doubt whether the Congress had included this temple entry question in their election manifesto. A fitting reply has been given to him by Mr. M. C. Rajah. As Mr. Rajah has pointed out, this question of temple entry has always been in the programme of the Congress, and our voters returned us

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on the strength of that programme. In other words, we have given our word to our voters in regard to this as well as to the other items. Freedom of the country, politically, socially and otherwise, has been our watchword, and it is in conformity with that word that this Bill has been introduced. That being so, does it lie in the mouth of Mr. Krishna Rao to say that he did not know whether this item had been included in our programme? Probably, he is not aware of what is happenning around him."

* SRI G. KRISHNA RAO:—"On a point of personal explanation, Madam. I never said that I did not know what is happenning in the country. (Laughter.) What I wanted to know was whether the Congress had a mandate for this. I am sorry my hon. Friend had not heard me properly."

* SRI M. BAPINEEDU:—"It is my inference from the inference he drew."

* SRI G. KRISHNA RAO:—"But as a matter of practical politics?"

* SRI M. BAPINEEDU:—"Yes; this is practical politics, and it is but right that we introduce such a Bill.

"Again, there was Mr. Abdur Rahman who spoke about religion. But let us not worry ourselves about him. Then, there is the anti-Hindi knight, Sir Pannir Selvam. Of course, he opposed and raised objections for the sake of opposition. We need not be worried about that also. The masses are with us. The country is with us, and what more do we want? As a humble Harijan *sevak*, I strongly commend this Bill to the unanimous support of this House, because this is the Bill which seeks to remove the age-long inequalities between man and man in the worship of God. I therefore have very great pleasure in commending this Bill to the unanimous acceptance of this Assembly."

(At this stage, Mr. Speaker resumed the Chair.)

* THE HON. SRI C. RAJAGOPALACHARIAR:—"Sir, the 6 p.m. discussion has brought out that two members of the House, Mr. Krishna Rao and Mr. Palat, alone seek to oppose the principle of this Bill. In a House of this size and composed of such vigorous elements as sit opposed to the Government Benches, it is a matter for great congratulation that only two, if I may use a self-contradictory expression, two solitary members (Laughter) have alone raised objection to the principle of the Bill. I say solitary for more reasons than one. These two have not any common points of opposition between them; each stands by himself; in that sense each one of them is solitary. In another sense also, I try to use that word; both of them happen to come from special constituencies, and not from general constituencies. (Laughter.) These observations of mine are not meant in any spirit of light-heartedness, or

as if I make light of their opposition, or as if I wish to make or cast any reflection on their capacity to represent the people. But I congratulate myself on the fact that only two special constituency members have risen to oppose this Bill."

* SRI G. KRISHNA RAO:—"May I know what constituency the Hon. Premier represents?" (Opposition laughter.)

* THE HON. SRI C. RAJAGOPALACHARIAR:—"But, Sir I am not alone in support of this Bill. (Loud laughter.) If I alone support this Bill, I will frankly confess that I represent a special constituency and that my words should have no weight. But I submit, these two friends, who represent special constituencies, alone oppose this Bill. Thereore the parallel between my special constituency and the special constituency of those who oppose this Bill does not apply in this case. There is a multitude of general constituency members in support of this Bill; whereas in this large House, after so much of discussion on this Bill, and that in a social matter, others have not come forward to oppose this Bill."

* SRI R. M. PALAT:—"Do I understand the Hon. Premier to mean that the special interests of this country require no representation here?"

* THE HON. SRI C. RAJAGOPALACHARIAR:—"Not a bit, Sir."

* SRI R. M. PALAT:—"Does the Hon. Premier mean to say that even the two special constituency seats are not required, Sir?"

* THE HON. SRI C. RAJAGOPALACHARIAR:—"Not at all, Sir; I do not mean that. I am glad Mr. Palat has interrupted me; because he gives me an opportunity to explain what I mean even more clearly than I succeeded in doing. The special constituency needs to be represented, and I welcome the opposition they have made in other matters as well as in this. But at the same time, it is my right to evaluate the importance of such opposition. (Laughter.) It is my right to say that only the special constituency representatives have come forward to oppose; and not a single general constituency member has come forward to oppose. I want to emphasise this, not against any reasons that have been urged; but I emphasise this in order to take a general view of the total amount of opposition to this measure that has been offered in this House. I say that this opposition is not strong, this opposition is not large, this opposition is peculiar and based on different grounds from different people—and that too, very few people.

"Now, Sir, I proceed. Because we cannot decide things merely on the quantity of things on either side, I admit at once that even a single member opposing can advance conclusive arguments

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and convince the Mover of the Bill to withdraw the Bill. I do not at all detract the value of a reason, simply because it is not offered by many. But legislatures are founded upon the principle that numbers also count. Legislatures have been constituted in order to get public opinion, in order to get reason out of numbers, so to say, supporting from either side. That is why I laid so much stress on the fact that only two members have come forward to oppose the Bill—and even those two members are such as I have described just now.

"Sir, Mr. Krishna Rao's opposition is not unimportant; it is most important. Because when the Bill is opposed, and when the time should come some time hence for me to appeal to men of his class, I shall spare no pains to ask members of the class to which he belongs and whom he represents, to give us all the help they can. Therefore it will not do for me to say that his opposition is not important. That is why, Sir, I propose to deal with his opposition even now, so that I may make a beginning in the way of persuasion of those people. Mr. Krishna Rao says very rightly, at the very outset, 'This country is a deeply religious country.' I am glad I find that even now Mr. Krishna Rao by gesture supports that proposition. For I at once proceed to draw the opposite inference of what he has done from that fact. Because this country is a deeply religious country, we cannot succeed in lifting the status of the Harijans unless we touch the religious aspect of their condition. It is because our people are a deeply religious people that it is not enough if we give the Harijans schools, appointments, hospitals, hostels and sanitary conditions and roads to go about; but it is necessary to give them religion also—which we have denied, which it was wrong to deny and which we seek to remove by this measure, if the people will agree and if the people will co-operate. Therefore, it is because our country is truly and deeply religious that this measure is important. Mr. Krishna Rao tried to make out that because our country is deeply religious, we should drop this measure. For that very reason I come to the opposite conclusion."

* SRI G. KRISHNA RAO:—"On a point of personal explanation, Sir; I said our country is a deeply religious country, and therefore the point ought to be placed before the public before we decide to bring in legislation affecting and interfering with religious practices. I said there is not a single mandate from the country and therefore the ideology of the Congress ought to be explained to the public. That is what I said."

* THE HON. SRI C. RAJAGOPALACHARIAR:—"It was perfectly clear to me. No explanation was necessary. I draw an inference from a fact upon which Mr. Krishna Rao depends. I do not say he was arguing illogically; he has seized a particular,

important, notorious and fundamental fact (Laughter), namely, that the people are religious. He asks me to draw certain inferences from that; I ask him to draw certain other conclusions from that fact. Because our country is religious, what is the consequence? We can never succeed unless we deal with matters of religion properly. He wants to draw another inference, namely, 'Because we are deeply religious, do not lightly deal with such matters. Ask them before you try to deal with such matters.' I quite agree; but at the same time I am raising that fundamental fact to draw the other inference, viz., that all our efforts at progress will fail, if we do not deal with this aspect of the matter. And therefore it is that I refer to the fundamental admission of Mr. Krishna Rao.

"I shall now proceed to deal with the other matter he has raised. He says, 'You must not deal with matters of this kind before putting them clearly before the people.' I agree again; hence the shape of the present Bill; hence the particular character of this Bill. Again, when you want to make a reform, go to the people, get their consent definitely, so definitely that they can answer the question, 'Shall this particular temple be opened tomorrow?' It is not enough to put the question, 'Shall we have untouchability removed?' It is not enough. Nor is it enough if we ask, 'Shall we improve our religion?' Everybody will say, 'Yes'; because it is a truism that we should improve it. And so, I say, it is not enough to put the question in that way; and that is because, as Mr. Krishna Rao said, our country is deeply religious. Religion involves a little bit of superstition, a little bit of fear, a little bit of fanaticism—and all these along with the true religion which certainly lies embedded in our religion. Therefore we will have to answer, or rather remove the difficulties arising out of that superstition, out of that fear and out of that fanaticism. And therefore it is I say, it is not enough to put down a general question in a general manifesto of a general election, but that it is necessary we should put it definitely when we deal with particular matters; and that is why this Bill has been shaped in this form. I am glad those points have been brought out by Mr. Krishna Rao; because they bring out the essential principle of this Bill, such as no argument of mine can bring out. I say, the point raised by Mr. Krishna Rao is that our people are religious and therefore, 'Deal with wells, deal with schools, deal with public places, but don't bother them with temples.' And I say, 'This is an important matter, a delicate matter, a matter of religion; our people feel deeply on it, and therefore you should go and ask them before you do anything.' And that is also why I say we want a referendum with regard to the opening of temples; it is not right to open them straightaway. These are two essential features of the question. These points Mr. Krishna Rao has

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brought out; and I thank him for the objection he has raised; because he has given me an opportunity to lay bare the exact philosophy of this Bill, if I may so use that term.

"Mr. Krishna Rao said that the proclamation in Travancore came by authority, and therefore it is no precedent for introducing this measure here. Superficially observed, the argument is perfectly sound. Let us go a little deeper. Why is it that we depend upon Travancore now? Is it to convince us that temples should be opened? No. It is to help to remove the fear from the mind of the people in regard to this step. As I have already said, religion is there, but fear and superstition are also mixed up inextricably with religion. How shall we remove it? A precedent is necessary; and that precedent is useful for the purpose. If I want to take a child into a dark room, or take a boy into the street in the dark, there is fear in the mind of the child or boy; he refuses to accompany me; and so I have to take the child or boy forcibly into the dark room or into the street; and when he is actually taken there and remains there for some time, he gets over the fear. Or, suppose a boy is to be offered a plunge in a tub of cold water, he shudders at the idea at first. Therefore I seize him by the hand and plunge him in the cold water. Then, knowing there is nothing in it to fear, he begins to like it, he begins to enjoy it and he keeps on in the water even when I ask him to come out of it. It would be exactly the same thing here also. Because in Travancore, it was done on authority, it does not detract from the value of the step taken. Temples have been opened; people have seen that they can be opened; people saw that they can worship; the Harijans have seen the coldness of the water; they have got over the fear of the darkness of the room; and therefore it is now easier for us to do it elsewhere. A precedent is perfectly useful even though the precedent may not be quite parallel. I do not imagine for a moment, that because the Maharaja of Travancore did it there, I can do it here. But what I do say is, because it has been done there it is *easier* for us to do it now here. That is what I infer from the great event that has happened. It is not as if it were merely a parallel or a parallel precedent for introducing this Bill here.

"It was stated that Diwan Bahadur R. Srinivasan and people of his frame of mind do not care for temple entry, and therefore we are wrong in making this thing. That again is wrong. Mr. M. C. Rajah has answered that point correctly; but he put it briefly, and I think it is worth while to repeat it and I shall repeat it for Mr. Krishna Rao's edification. (Laughter.) Mr. R. Srinivasan has written that in the Press; it is there and we cannot make light of it. The fact is there that he does not consider temple entry to be essential or important. Why? Here again the principle of the Bill will be enunciated and brought out by this very

objection. Because, Mr. R. Srinivasan rightly considers that it is the duty of the caste Hindus to look after that matter. It is his right to claim to use the wells, it is his right to claim an equal share in the schools, a share in the road, a share in the services of the country. It is his right to claim that; and he can shout for it; and he can ask for it with all the energy he can command. But in this matter of religion, he says, 'If the caste Hindus wish to leave their religion, it is their concern. Why should we doubt it? If they do it, we shall have it. If they don't do it we shall not complain.' It is the right attitude of one who is excluded. Therefore, I submit the quotation of Mr. Srinivasan's writings does not help us at all. At the time of the discussion, it was stated that Mr. Srinivasan's objections do not prove that temple entry is important or is necessary. It only proves the relative duty of the caste Hindus and the excluded classes and therefore we, the caste Hindus, should be more concerned in this matter than the excluded classes, whose entry into temples is provided for in this Bill. Mr. Srinivasan belongs to that community and with due respect, he says that it is the duty of the caste Hindus to better their condition. If those who call this decrease of enthusiasm, do not bother about it . . ."

6-15 p.m.

* SRI RAO BAHADUR M. C. RAJAH :—" A word of explanation. I do not think, Sir, that Diwan Bahadur R. Srinivasan . . ."

MR. SPEAKER :—" Diwan Bahadur Srinivasan will speak for himself."

* SRI RAO BAHADUR M. C. RAJAH :—" Since he is not here . . ."

* THE HON. SRI C. RAJAGOPALACHARIAR :—" He will be in the other House. I will also be there. However, I see the point, Sir."

* SRI RAO BAHADUR M. C. RAJAH :—" The statement should not be distorted, Sir."

MR. SPEAKER :—" Not necessary. The Premier will explain himself."

* THE HON. SRI C. RAJAGOPALACHARIAR :—" I am not unaware of it. I am going to meet him. He is my friend, and I am going . . ."

* SRI RAO BAHADUR M. C. RAJAH :—" I am also your friend."

* THE HON. SRI C. RAJAGOPALACHARIAR :—" So far, it is of value, Sir, to note that he claims these temples to be his own. He has written that these temples have been robbed from the Harijans and that we are now in wrongful possession of them.

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I know that he values them. At the same time what he has written last and recently has been misunderstood and misapplied. I want to show that he values the temples quite as much as I do. He wishes only one thing and leaves the other matters which are really the concern of the caste Hindus themselves, because Hinduism stands to gain or lose, and he leaves them to the caretakers of Hinduism. But whatever may be the position which Mr. R. Srinivasan may take at the present moment, the question now is whether Mr. Krishna Rao is right in saying that because the Harijans do not claim it, because the Harijans do not clamour for it and because some of them are lukewarm about it, we must leave it. I submit, it will be only a very wrong thing to do and a dangerous attitude to take with regard to our temples. It is necessary that we should do our duty even though it may, for various reasons, be difficult for others to clamour as we would have them clamour, before giving. If we reach that stage, there will be no need for temple entry. When we reach the stage when it is too late, there will be no use in temple entry. It is time now that we correct the wrong; and if we postpone it further, Hinduism will become useless. Therefore, we should hurry in this matter and that is why we are introducing this Bill.

" Sir, Mr. Krishna Rao said further that Mr. Srinivasan questions the *bona fides* of these people and asked us what answer we had to this? That gives me an occasion to tender an explanation in regard to a matter on which Mr. Rajah has laid some stress. He has said that caste Hindu members of the Harijan Sevak Sangh are given share and control of the school committees and the like—bostel committees, for example—and that it is a wrong thing. It may be wrong or it may be right. I am not going into the merits of an administrative affair in this connexion. It is due to me, if you will permit me to say, to point out that the inclusion of the caste Hindu wardens in the management of Harijan hostels is a valuable step in that direction. And if we keep these Harijan hostels separate altogether, managed by Harijan wardens, with Harijan cooks, with Harijan clerks and everything like that, while it may be advantageous for the purpose of giving employment to the Harijans, it will be fundamentally against the principles of unity that we want and the achievement that we wish to make. I know that these humble persons to whom reference was made are enthusiastic young men who have braved excommunication in their own communities and eat and dine with these Harijan boys in the hostels and it will be a help to the movement instead of being a hindrance to the movement. I shall stop there and shall not expatiate on it. There is much to be discussed and this is not the occasion for it. Only its object must not be misunderstood. When Mr. Krishna Rao said that Mr. Rajah doubted our *bona fides*, I did not for one moment believe that this is exactly what Mr. Rajah meant. He might point out in strong

language things for which he wants a change, but it is not that he does not believe our *bona fides*. Further, let me assume that he doubts our *bona fides;* it is Mr. Krishna Rao's attitude that is the cause for that doubt. It is that which makes Mr. Rajah doubt our *bona fides.*"

* SRI G. KRISHNA RAO:—"I do not know Mr. Rajah as much as you know him. But I took him at his word." (Laughter.)

* THE HON. SRI C. RAJAGOPALACHARIAR:—"Let me say again, Sir, when I say Mr. Rajah, it is not Mr. Rajah; he represents the people on whose behalf he speaks. They doubt now because of this opposition, because of the continued opposition and even, if I may say, of the still surviving opposition. But a time will come when, instead of doubting the *bona fides*, we will get the temples opened, when these doubts of our *bona fides* will clear like mist before the morning sun. They have a right to doubt so long as we delay the reform; and so long as we have not done these reforms, we must take what they say in good part, and not merely answer them word by word but try to explain them away by action, by conduct and the reforms that we introduce. And I hope that we will all live to make both Mr. Krishna Rao and Mr. Rajah shake hands saying that these were doubts."

* SRI G. KRISHNA RAO:—"Do we not shake hands now?"

* THE HON. SRI C. RAJAGOPALACHARIAR:—"Then, Sir, let us give no further opportunity for the development of such doubts. Let us remove the real causes of the doubts. Doubts are caused not by speeches but by acts, and if we show by acts, doubts will clear themselves. That is why, I want Mr. Krishna Rao to vote and work for this Bill, even otherwise.

"Then, Sir, Mr. Abdur Rahman made certain criticisms. So also, Sir Pannir Selvam. I can understand their not seeing the points that I want them to see. It is nice to go the whole hog. It is possible that Mr. Abdur Rahman can justly ask according to his lights, 'Why have you introduced this Bill with these safeguards? Go forward more boldly and get there.' It is not possible for them to see the exact position in this matter. Though they are with us and though they are of the same flesh and blood as we, they have followed a different creed and practised a different religion, and it is difficult for them to see exactly how we have to protect ourselves against dangers and difficulties. And, what is more important, they cannot see how the process of persuasion is to be brought to bear on people for whom particularly this Bill is intended. For instance, let me take one objection as an illustration. Mr. Abdur Rahman said, 'Why have you introduced for the first time in the Select Committee the exemption of family temples; why have you introduced the

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definition of worship which was not there before?' The answer is that Mr. Palat, Mr. Krishna Rao and all these people, either *directly or indirectly or representatively, were in the Select Committee* and we discussed the difficulties. To-morrow, is it enough to get Mr. Abdur Rahman to have these temples opened? Can I ask Sir Pannir Selvam to vote for temple entry? We have to go to Mr. Palat and Mr. Krishna Rao and ask them to help us to get the proposals suggested in the Bill carried out, to get the provisions of the Bill properly understood by the people; and therefore it is that we have accepted these changes.

"But let nobody go away saying that we have made compromises. We have illustrated the objections to the Bill. I shall explain. This Bill is not intended to interfere with family worship or family temples. It is not intended to interfere with private property. Private property is different from private temples. In certain cases though originally started as private temples, they have become places of public worship. They are not intended to cover those cases. What is intended is private property. It is no longer private property when it is dedicated to public worship. Therefore in a place which is used partly for family worship and partly for public worship, but where the institution has become pure and simple private property, we do not interfere. That was represented to be a hardship, and we wanted to make it perfectly clear that we do not intend to interfere with private property. Therefore that thing was introduced.

"Then as to family properties. It was pointed out by Sir Pannir Selvam also that though temples may be used by the whole world, there are some temples which are exclusively necessary for certain families of chieftains, and these are not really wanted by others. In order to make the people accept the Bill in the true spirit in which it is intended, it is necessary to give them *this assurance that if it is seen that any institution is* wanted for family worship, it may be exempted. But why is power reserved there? It is because anything may be claimed as wanted for family worship. It is not intended to give away that by legislative enactment. Government propose to look into the matter from all aspects of the case and decide whether it is truly and really wanted for family worship or whether it is an excuse or subterfuge. Therefore it is that the power is reserved to the 6-30 Provincial Government so that it may be open to the Government p.m. to exclude from the scope of this Bill the places which are wanted for family worship. With this assurance, it would be easier to secure our object. It is not logic that we want; what we want is success in this great reform. Therefore it is that we have agreed to these amendments."

* K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—"What about the percentage limit?"

* THE HON. SRI C. RAJAGOPALACHARIAR:—"I am coming to the percentage question. Percentage has nothing to do with these reforms. But let me explain that also. There are, within the limits put in the Bill as to the amount of assessment payable, about 50 temples in Malabar which would immediately come within the scope of this Bill. None of them, I understand, could be excluded by this rule as being places wanted for family worship. But supposing two of them are to be excluded, or even five of them are to be excluded, it makes no difference to the cause for which this Bill is intended, because it is not a vote. The moment that Hinduism has been liberalized, the moment that the temple as such is opened, whether it is one or two or three or twenty, it makes no difference; because this is a reform of the principle, a reform of the practice. It is not a question of the conquest of a number of temples, one by one. As a matter of fact, in this very Bill, have we not provided that when once a referendum is held in a taluk, the vote of that taluk will decide not only the opening of the particular temple for which such vote was taken, but it will decide the opening of all the temples in that taluk? Why? Because it is one and indivisible, the form of worship, the method of worship is what is involved. Therefore if out of 49 temples 40 are opened and 9 excluded, the Harijans will not lose anything and the excluded classes will not lose anything. As a matter of fact, the reform will proceed apace, when once even a single temple is opened. I am prepared to exclude even more temples than are excluded by the provisions, if some of the temples that we have in view are opened straightaway. It is possible to understand the meaning of this only by those who know the particular difficulties in the matter. The difficulty in the way of the progress of this reform is peculiar. The opening of a single temple is enough to dissolve that difficulty.

"Sir, in the same way, Sir Pannir Selvam raised objection on the ground that the customs in Malabar are different, are more orthodox and more difficult and therefore the choice is not good. The very difficulty is a reason sometimes. It was stated, for instance, that high class Hindus in that district would not be allowed to go into the temples in Malabar. Now does that not make it easier for us to go and convince the people there that these temples should be opened? The very fact that all kinds of unreasonable exclusions now prevail there does not render the matter more difficult, but really that fact renders reform easier. The reform will consist in what? It consists in making the reasonable men in that district see the unreasonableness of this custom, and when this custom is overweighted with all this unreasonableness, it becomes all the easier to attain that object, so to say. The unreasonableness, being overweighted, disappears

and in its place reason prevails. What therefore has been pointed out as the difficulty is just the reason which makes the reform easier in Malabar. Therefore it is that we have found, as a matter of fact, that the agitation for the opening of the temples is stronger in Malabar than in any other district of the Province. Therefore these difficulties are not really difficulties; they only make the matter easier.

"Sir Pannir Selvam and Mr. Palat, combined, referred to the fact that the Senior Maharani's temples had been carefully excluded at the time of the proclamation in Travancore. Was it not right? It is just the same thing that I have just now referred to and explained; private property is to be excluded. The very fact that even in Travancore such temples as are private property and necessary for the family worship of the Senior Maharani were excluded, is an act of due courtesy. It was necessary for the Government of Travancore to exclude what was wanted for the Senior Maharani's own family worship and I am surprised that it has been referred to as detracting from the reform there. In this case, the exception proves the rule. The exception proves and affirms the principle. It is because we exclude private temples that we can claim with greater vigour that the rest of the temples should be opened. It is because family worship is protected that we can claim with greater success that the public worship should be open to all, just as the exclusion of the Senior Maharani's temples in Travancore made it easier for the State temples to be opened to all people.

"Then it was stated that just before the marriage of a princess the temple was purified. I hope I shall not be misunderstood if I say that this arises out of an essential ignorance of temple matters on the part of people belonging to another faith. But the argument was *bona fide*. So let me explain and give an answer. Every day there is a ceremony for the purification of temples. It does not mean anything out of the way. Just as we wash our hands before we take our food—it does not mean that my hand is infected, when I wash my hand before going for food—in every ceremony at the time of any marriage or *grahapravesam* there is a purificatory ceremony performed. It means nothing. It does not mean any reference to the Harijans whatsoever. Even in the temples wherefrom the Harijans are excluded, this ceremony is gone through on occasions, and it is necessary to go through it. It does not mean that it is because of the proclamation."

* SRI R. M. PALAT:—"On a point of personal explanation. May I say, Sir, that this temple was purified with the intention that it had been polluted by the so-called excluded classes and not in the same way as temples are usually purified?

May I also say, Sir, that during this marriage ceremony no member of any of the so-called excluded classes was, I believe, admitted into the temple? "

* THE HON. SRI C. RAJAGOPALACHARIAR:—" If Mr. Palat is in possession of any facts which entitle him to make this charge against the Travancore royal family in regard to any particular ceremony which they went through in the case of any particular marriage or wedding, I hope it is not relevant for our purpose and it would not be proper for me to digress into a discussion over that matter. But in connexion with it, what I have stated, namely, that we should not confuse certain ceremonies which have been prescribed from time immemorial in connexion with temples and in connexion with ceremonials and rituals of every description, is perfectly right. Certain purificatory ceremonies are prescribed in all cases, and it is likely that some people might mistake these things as an offensive attempt at purification of something which had taken place before that. I want only to explain that. Even in a most orthodox Hindu house to-day, if certain rituals have to be gone through, certain purificatory ceremonies have first to be performed; and after every religious procession in connexion with a temple—I am giving this fact for the information of members—when an *utsavam* has taken place and before another takes place again, certain purificatory ceremonies have to be gone through. It has nothing to do with the Harijans or untouchability. If there is anything more in what is stated to have been done in connexion with the marriage of a princess in Travancore, I suppose it is not open to us to quote it in connexion with this Bill. Supposing they went through or they did not go through any purificatory ceremony, it does not affect us at all. As I said at the outset, we are not claiming to introduce this Bill on the analogy of the introduction of the measure in Travancore; but on the spirit of the introduction of the measure in Travancore, we are seeking to introduce it here. We cannot propose to do exactly what they did or omit to do what they omitted to do. What we are doing here is an attempt to open our temples on the fact and base it on another foundation, viz., that a large population following the same customs as in Malabar have accepted this reform, that temples have been opened in this manner and that such temples are being utilized by all classes. That gives us strength; that gives us encouragement and I do not think that these other arguments that were advanced, based on particular incidents which are doubtful, are of any value in this connexion. Sir, asking for the forgiveness of the House for having taken up so much time, I move that this Bill, as amended by the Select Committee, be taken into consideration."

The motion was put and carried and the Bill was taken into consideration.

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MR. SPEAKER:—" The discussion upon this Bill has been very exhaustive and the amendments are merely verbal. So I propose to submit this Bill to the House clause by clause and line by line, so that the whole thing can be finished very quickly."

Clause 2 (2).

* THE HON. SRI C. RAJAGOPALACHARIAR:—" Sir, I am proposing a few verbal amendments to the Bill as it has emerged from the Select Committee, sometimes only to make the grammar correct and sometimes the law correct. I move—

> '*In line* 4, for *the word* " *who* " substitute *the word* " *which* ". ' "

The amendment was put and carried.

* THE HON. SRI C. RAJAGOPALACHARIAR:—" I move—

> '*In line* 5, for *the words* " *are not allowed,* " substitute *the words* " *is not allowed* ".' "

The amendment was put and carried.

Clause 2 (4).

First Proviso.

* THE HON. SRI C. RAJAGOPALACHARIAR:—" I move—

> '*In line* 2, for *the words* " *final order* " substitute *the words* " *final decree or order* ". ' "

The amendment was put and carried.

* THE HON. SRI C. RAJAGOPALACHARIAR:—" I move—

> '*In line* 4, for *the words* " *as private property* " substitute *the words* " *to be private property* ".' "

The amendment was put and carried.

* THE HON. SRI C. RAJAGOPALACHARIAR:—" I move—

> '*In line* 5, for *the words* " *under this Act* " substitute *the words* " *for the purposes of this Act* ".' "

The amendment was put and carried.

MR. SPEAKER:—" I think there is one amendment given notice of by Mr. Ari Gowder in sub-clause (4) which should come before the first proviso. I may suggest for the convenience of the House that all the amendments of the Government may be taken up first and disposed of and then the amendments given notice of by other non-official Members may be taken up." 6-45 p.m

* THE HON. SRI C. RAJAGOPALACHARIAR:—" If I finish all the verbal amendments in sub-clause (4) first, I think it will be in order."

MR. SPEAKER:—" Yes."

Clause 2 (4).

Second Proviso.

* THE HON. SRI C. RAJAGOPALACHARIAR:—"I beg to move—

'*That for the words " the final decision in such a proceeding shall determine whether such a temple shall be excluded from this Act " the following be substituted:—*

" the temple shall not be deemed to be a temple for the purposes of this Act until the final decision in such a proceeding, and thereafter, it shall not be, or shall be, a temple for the said purposes according as the final decision declares or accepts the temple to be private property or not." '

" Sir, this amendment is for the purpose of making the clause more legal in form."

The amendment was put and carried.

* MR. G. KRISHNA RAO:—" Sir, we have not got copies of those amendments."

MR. SPEAKER:—" They have been circulated. Probably Mr. Krishna Rao was speaking to somebody behind when they were circulated."

* THE HON. SRI C. RAJAGOPALACHARIAR:—" I may mention, Sir, that these are all verbal amendments."

MR. SPEAKER:—" Whatever may be the nature of the amendments, the hon. Member is entitled to have copies of the amendments."

Clause 2 (5).

* THE HON. SRI C. RAJAGOPALACHARIAR:—" I beg to move that—

'*In lines 3 and 4, for the words " whether hereditary or non-hereditary " the words " whether in a hereditary capacity or not " be substituted.*' "

The amendment was put and carried.

Clause 2 (6).

* THE HON. SRI C. RAJAGOPALACHARIAR:—" I beg to move that—

'*In line 8, before the word " rules " the word " the " be inserted and the words " of this Act " be omitted.*' "

The amendment was put and carried.

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Clause 3 (1).

* THE HON. SRI C. RAJAGOPALACHARIAR :—" I beg to move that—

'*In lines 8 and 9, for the words " votes in the prescribed manner " the words " votes taken by the prescribed method " be substituted.*' "

The amendment was put and carried.

Proviso.

* THE HON. SRI C. RAJAGOPALACHARIAR :—" I beg to move that—

'*In line 3, for the words " the Act," the words " this Act " be substituted.*' "

The amendment was put and carried.

Clause 4 (3).

* THE HON. SRI C. RAJAGOPALACHARIAR :—" I beg to move that—

'*After the words " is taken by the trustees " in line 2, the word " and " be omitted.*' "

The amendment was put and carried.

Clause 9 (2) (*d*).

* THE HON. SRI C. RAJAGOPALACHARIAR :—" I beg to move that—

'*In line 1, for the words " method in which " the words " method by which " be substituted.*

'*In line 2, the word " and " be omitted.*' "

The amendments were put and carried.

Clause 9 (2) (*e*).

* THE HON. SRI C. RAJAGOPALACHARIAR :—" I beg to move that—

'*For this clause, the following be substituted:—*

" (*e*) *as to the preparation and publication of lists of voters, and the decision of all disputes which may arise in connexion therewith; and*

(*f*) *as to the decision of all disputes which may arise in respect of requisitions and objections from voters under sections* 3, 4 *and* 6 *or in respect of references to voters under sections* 3 *and* 4 *and the ascertainment and publication of the results of such references.*" ' "

The amendment was put and carried.

Clause 2 (4).

* SRI H. B. ARI GOWDER :—" I move that—

'*In line 7, for the figures* " 5,000 " *the figures* " 500 " *be substituted.*' "

" Sir, I find that two of my amendments have been put together on the agenda. I wish to know if I can move them separately " . . ."

MR. SPEAKER :—" Yes."

* SRI H. B. ARI GOWDER :—" Sir, the object of the amendment that I have just now moved is not to throw open as many temples as possible, but that at least a few of them may be thrown open out of a larger number."

The amendment was duly seconded.

* THE HON. SRI C. RAJAGOPALACHARIAR :—" I hope I have understood my hon. Friend who has moved this amendment. His proposal is to substitute the figures ' 500 ' for ' 5,000 ' This would apparently be a good thing by making more temples available for the excluded classes. But, Sir, there are reasons why 5,000 has been put in. It is not a general principle for all districts and everywhere. In respect of the district of Malabar with which this Bill is concerned, as I have already said in answer to a question, this figure 5,000 would bring about 50 temples in one district; and 50 in one district is not a small number. That is not the only reason. There is this further fact which should be remembered: if a temple should be opened upon a reference, other temples will automatically accept the reference. Now if small and tiny temples are included, a reference would be demanded in respect of these tiny temples and we would find the result of the reference not reasonably applicable to all the temples in the place. It is only if we take fairly major temples, temples which can fairly be classed as major, that we can demand the application of the result of a reference to any one of those temples, to all the temples in that taluk. Therefore I would submit that a provision as is suggested in the amendment fixing a lower minimum would lead to very undesirable results, and so we cannot accept the amendment. It is necessary for the administration of this law that we should make a provision which would facilitate the application of the result of a reference to any one temple to other temples also. If one temple accepts and others of the same class do not accept, it would lead to very anomalous results. Therefore it is necessary to fix the limit at a reasonable figure, and I think a provision which would bring in 50 temples being thrown open in one district should readily be accepted.

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" Then again let me ask the mover of the amendment whether he agrees with me that the smaller the property of the temple, the smaller will be the number of worshippers and therefore the lesser will be its public character and the larger the property of a temple, the larger will be the number of worshippers and the greater will be its public character; and we have to fight against this property sense. Therefore it would be far more difficult to obtain the votes of people, in the case of small temples, for such temples being opened to the excluded classes, than in the case of bigger temples. Therefore I would beg of the hon. Member to withdraw his amendment. We have had considerable discussion with people who have a foresight in these matters—moderates, extremists, sanatanists and the reformers—and after due deliberation have fixed this limit of Rs. 5,000. I would once again ask the hon. Member to withdraw his amendment."

* SRI H. B. ARI GOWDER :—" Mr. Speaker, before I withdraw my amendment, I would point out that this 500 minimum would include the larger temples also."

MR. SPEAKER :—" Is the hon. Member prepared to withdraw his amendment? "

* SRI H. B. ARI GOWDER :—" I withdraw, Sir."

The amendment was by leave withdrawn.

* SRI H. B. ARI GOWDER :—" Sir, I beg to move the following amendment standing in my name :— 7 p.m

' *In line 9, after the word " worshippers "* omit *the colon and* add *the words " and also the inner shrines ".*'

" This is only the logical extension of the same principle of temple entry. I do not anticipate a large influx of worshippers getting into the inner shrines and crowding there. All that is suggested is a symbolic recognition of the right of people to enter the inner shrines for offering pooja."

Sri Adimoolam Jamedar seconded the amendment.

* THE HON. SRI C. RAJAGOPALACHARIAR :—" Sir, I oppose this amendment also. The proposal is, that entry, after the reference, should mean entry not only to every part of the temple which is open to the bulk of the worshippers but also to what the amendment describes as inner shrines. I submit that it would be wholly against the practice prevailing in all temples, apart from the excluded classes being permitted to do such a thing. It would not be in the best interests of the object of this Bill to introduce such an amendment."

The amendment was put and lost.

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Clause 2, sub-clause (6).

* SRI G. KRISHNA RAO:—" Sir, I move the amendment that stands in my name—

> 'Omit *sub-clause (6) of clause 2 and* substitute *therefor:* " '*Voters' means all adult Hindus of both sexes resident in the revenue taluk* ".'

" This amendment is obvious on the face of it; it wants to liberalize the electorate; the present electorate is very much restricted. The number of Legislative Assembly voters is restricted and forms a very small part of the population. That fact is well known to the Government. A large population will be left out; Hindus who are habitual temple-goers, who have a claim now to go to temples and who ought to have a say in the matter, have been excluded from the electorate. As such, I want to see that it is more liberalized and that the referendum is made more complete and thorough. You call it a referendum and in that case, the particular community which this law affects, should have an opportunity of expressing its opinion fully in an unrestricted manner. Therefore it is necessary in the interest of pnblic opinion to be got in this matter, that the large number of persons who are outside the roll of the Legislative Assembly electorate, ought to have an opportunity of expressing their opinion. It may be said that it would be a cumhersome machinery and it is not possible for us to have that kind of thing: that may be the argument of the Government and I foresee it. I think the Congress stands for adult suffrage; when there is an opportunity to have adult suffrage for a particular purpose, why not have it? The difficulties in the way should not be a bar for your establishing and giving effect to your principle. I wish to make this Bill as innocuous as possible; I wish that the largest number of caste Hindns should have the opportunities of recording their opinion. I say it is in the interest of the Government themselves that, on this fundamental question, the voters should not be restricted in number, that it should not be a small electorate. The whole body of caste Hindu people should have their say in the matter. I am sure that the Government would not fight shy of this question; there is no use in having a short cut in this matter; a short cut may not be a safe cut at all. I may tell the Government that, if they do uot want to have a short cut and if they want to see that this legislation bears fruit, it is better to have a large number of people to record their opinions on this matter. I see that a large body of caste Hindus are adversely affected by this legislation and it is but proper that a popular Government should see that the whole body of caste Hindus have a say in the matter. That is the reason why I move this amendment."

* SRI R. M. PALAT:—" I second the amendment."

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* THE HON. SRI C. RAJAGOPALACHARIAR:—" It is very significant, Sir, that the two Members who opposed the principle of this Bill, are in favour of this amendment. That reason should alone be enough for wise people to reject this amendment."

* SRI G. KRISHNA RAO:—" I do not know, Sir, if the Hon. Premier calls us fools."

* THE HON. SRI C. RAJAGOPALACHARIAR:—" I mean wise in a very restricted sense, viz., all those who are interested in the object of this Bill."

The amendment was put and lost.

Clause 2, sub-clause (7).

* SRI H. B. ARI GOWDER:—" Sir, I beg to move the following amendment standing in my name:—

> '*In line 2, after the words* " *participate in* " omit *the comma and* add *the words* " *including the right of officiating as priests* ".'

I am not inspired by a sense of humour or by a desire to be known for extremism. I only ask for this; we should recognize that all men are equal before God. I think sooner or later the excluded classes will take up this question in right earnest of taking part in ceremonies such as officiating as priests, as soon as the temple is thrown open to them. Such a right should be extended to the excluded classes. The law can make it impossible for any excluded caste member to act as priest, if the Government so introduce it and introduce a provision that cent per cent support of the electorates should be forthcoming for such a right to be given to excluded classes. I am only asking the Government to at least put on the statute that they have no objection or that the law recognizes no difference between man and man, between caste Hindus and excluded classes in regard to worship in all forms in the temple. I expect that the Hon. Premier would give his considered opinion before he simply rejects this amendment completely. I wish that the Government should recognize the right of all Hindus, including the excluded classes, to officiate as priests though not in all the temples, but at least in some temples in the district with which this Bill deals."

SRI ADIMOOLAM JAMEDAR:—" I second the amendment."

* THE HON. SRI C. RAJAGOPALACHARIAR:—" Sir, this is a consequence, I respectfully submit, of a partial imagination and not a complete one. We picture to ourselves temples opened out to all without distinction of caste and we want such a thing to be realized; we want the Harijans, the excluded castes to enjoy all the rights that others enjoy. I want the hon. Mover of the amendment to consider the consequence of our accepting such an amendment.

This Bill gives the right to those persons who are now in the possession of the temples to give their opinion; if we go to the people and ask for their opinion whether they will be in favour of a temple being thrown open if members of the excluded classes officiate as priests, they would say, 'No.' I want to ask any member to use common sense; if we increase the burdens, the result is we make it more and more difficult to get their opinion in favour of temple entry. It is like some tender mathematicians in the lowest classes imagining that by increasing the denominator, the fraction is increased; *if a vulgar fraction is taken and if we increase the denominator*, the fraction is *reduced*, we know. Mr. Ari Gowder's proposal is to increase the denominator. If we go to the people of the taluk and say if you give us the vote, not only will the Harijans be allowed to go into the temple, they will also go into the inner shrines and officiate as priests, the vulgar fraction is reduced and not increased. The consequence will be that no consent will be given and the object of the Bill will be lost; the Bill will be ineffective. Therefore those who are interested in the objects of the Bill should not ask for members of the excluded classes acting as priests; that matter should be kept separate. Therefore I submit the amendment should be rejected, if it is not withdrawn."

The amendment was, by leave, withdrawn.

Clause 2 as amended was put and carried.

Clause 3 as amended was put and carried.

Clause 4 as amended was put and carried.

Clause 5 was put and carried.

Clause 6 was put and carried.

Clause 7 was put and carried.

Clause 8 was put and carried.

Clause 9 as amended was put and carried.

Clause 10 was put and carried.

Clause 11 was put and carried.

Clause 12 was put and carried.

Clause 1 was put and carried.

The preamble was put and carried.

7-15 p.m. * THE HON. SRI C. RAJAGOPALACHARIAR:—" Sir, I beg to move—

'*that the Bill be passed into law.*'

" Sir, I only wish to say this, that I do hope that all sections of the House will adopt it, realizing that a great issue hangs by it not merely in the matter of the administration of temples and things like that, but the whole issue, if I may say so, of Hinduism hangs

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by it, and realizing further that nothing is done or achieved by the passing of this Bill unless under the provisions of this law, men are approached and men are made to agree and temples are opened in peace and without any disturbance and with a sincere heart. I do hope, therefore, that members who accept this Bill now will realize the great work that is before us in giving effect to this Bill. This is a very peculiarly framed Bill. I do not think that in any other matter we have adopted a law for taking the opinion of the people over again after adopting the law. Therefore, for the first time, we are putting on the statute-book a law which puts a very great responsibility on those who have the objects of this Bill at heart.

"All differences as to clauses, all differences as to provisos, all differences as to this or that detail of the Bill must from this moment be forgotten, and we must put all our shoulders to the wheel if we want to make this Bill a reality. I hope that in this spirit this Bill will be passed into law."

* SRI R. M. PALAT:—" Sir, I would like to say just a few words at this stage of the Bill. The Hon. the Minister in the course of his speech mentioned that the object of the Government would be attained if one or two temples were thrown open to the excluded classes. May I take that as an offer that if those classes who are now going to temples will only give up two or three of these ancient foundations, then there would be no further action under this Bill till a great majority of the orthodox section is also willing to consent to the principles of this Bill? If that is so, I think it would remove a great deal of rancour and a great deal of ill-feeling from the minds of the orthodox section. If only this is agreed to, I think it may be possible that some of our large temples may be thrown open; but at the same time I want to make it clear that it may not be possible for the orthodox section to worship at these temples that are thus thrown open. If a few temples are opened, we can make a trial and see if the orthodox people in the locality will enter these temples and worship along with the excluded classes; and if gradually the spirit of common worship spreads, I think that would be the proper way of advancing the objects of this Bill which I believe is for the unity of Hinduism."

* SRI RAO BAHADUR M. C. RAJAH:—" Mr. Speaker, Sir, this is a stage in which benedictory speeches are generally made on the passing of the Bill. But before doing that, I would like to remind the House of a famous saying of Babu Surendranath Banerjee, one of the founders of the Indian National Congress, the fruits of whose labours the present Ministry is now enjoying. He was fond of saying, Sir, while thanking the British Government for all the benefits conferred by them on the people of this

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country, that 'gratitude was a keen sense of favours yet to come.' In this case, of course, it is no favour which the Prime Minister is bestowing on the depressed classes; he is simply doing his duty, and for that of course I am grateful to him, but with the proviso and hope that this Bill will soon be followed up by a larger and more comprehensive measure like the one which I had the honour to introduce and which the Hon. the Premier had the honour to oppose. (Laughter.)

"Sir, I agree with this Bill so far as the principle of temple entry is concerned; but as far as the machinery set up and the limited locality for the application of the measure are concerned, the Premier alone is responsible for them. In my speech on the last occasion, I asked the Premier to state definitely in what other districts he was going to introduce similar legislation; he omitted to answer the question perhaps in the excitement of the discussion; but now that he has had ample time to think about it, I hope, Sir, he will give us an indication, by taking the House into his confidence and telling us the several districts in which he is going to extend the application of this measure.

"Sir, I have already stated that the whole Presidency, taking all the districts together, is ripe enough for a permissive measure like this. Sir, now I may mention to the Hon. the Premier once again about Andhradesa. I think that some of my friends who are sitting on the opposite side and who belong to the Tamil districts are afraid of a measure like this. (Hon. Members: 'No. No.') I am very glad to hear that, but why did you oppose my Bill then? I hope some of you will get up after me and ask the Premier to extend it to the Tamil districts. But, so far as Andhradesa is concerned, I know it is not only willing but also eager to remove untouchability and to effect temple entry. I must here give my thanks to the late Mr. Viresalingam Pantulu, Mr. B. Venkataratnam Nayudu, to yourself, Sir, the Hon. Speaker of this House, to my bold and frank friend the Hon. Mr. T. Prakasam, to Dr. Pattabhi Sitaramayya, and last but not least, my late lamented friend Mr. Nageswara Rao Pantulu. Sir, I do not know if the Hon. the Premier has witnessed the Telugu talkie which is running its course in one of the local talkie houses in Madras, called Malapilla. It is the result of the ingenuity of the Telugu people in the Andhradesa; it is clearly brought out in that film how untouchability could be easily abolished. If I remember correctly, that film is dedicated to the late lamented Nageswara Rao Pantulu. If I understand the film correctly . . ."

MR. SPEAKER:—"I think the hon. Member need not go into the story of the film." (Laughter.)

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* SRI RAO BAHADUR M. C. RAJAH :—" Sir, in these days of democracy, I am sure these talkie houses are going to solve the difficult social or religious problems confronting us. The immense popularity of this Telugu play not only in Andhradesa but also in the Tamil country shows that the country would welcome a measure like this. As a matter of fact, I would like each and every member of this House to see this film Malapilla and also the films Mahatma and Chandi Das of Bengal. My humble request is that the Hon. the Premier must see these films (Laughter) . . ."

* THE HON. SRI S. RAMANATHAN :—" Sir, I object to the House being used for advertisement purposes."

MR. SPEAKER :—" The Hon. Minister for Public Information objects to information about these films being given here." (Laughter.)

* SRI RAO BAHADUR M. C. RAJAH :—" Sir, after all, I am surprised that my friend, the Minister for Publicity whose business is advertisement should get up . . ."

MR. SPEAKER :—" I think we must stop at that. The hon. Member may proceed with his remarks on the Bill."

* SRI RAO BAHADUR M. C. RAJAH :—" But I wish to tell him, Sir, that I am not the proprietor of any of these film houses, nor am I the agent or the manager.

" Sir, in fine, I want the Hon. the Premier to give us an indication as to what district he is going to take up next for extending the application of this Bill. With these words, I thank him for his labours, and I thank also the members of the Select Committee for coming to an unanimous understanding. Sir, I support the motion and I wish the Bill success."

* SRI G. KRISHNA RAO :—" Sir, after all this debate, it is necessary that we should shake hands over the fact that the Bill has been passed by this House. So, I would like to add a few words by way of pouring oil on troubled waters, if that is necessary; because, I feel that as a member of this House, if I have said anything inadvertently and used strong expressions which perhaps wounded the susceptibilities of members of this House, I should assure them that I did not mean to offend them. But at the same time, I must frankly express my opinions in this House as a member, which I have a right to express in my own humble way, and I have tried to put forward my case in my own way, remembering all the while that I belonged to a small constituency—which the Hon. Premier tried to belittle, but which, I hope, he did not belittle very much. Still, I think I have got a right to express my opinions in this House, whatever might be the weight that may attach to it, especially in a House which consists

of a big majority of members on the Government side. I have said what I did in the hope that although the Government have the giant's strength, they would not use that strength as a giant. Perhaps we here are small in numbers, we do not count for you and you need not care for us; but I must assure this hon. House that whatever we say, we say with deep conviction, and we only want that we should be given a respectful hearing.

"Sir, now that this Bill has been accepted by this House and is going to be passed into law, I shall be very glad to know how this Bill works; though the Hon. the Premier and I have no doubt our own differences, yet, as I said, I shall be glad to watch how the provisions of this Bill work in practice."

* THE HON. SRI V. I. MUNISWAMI PILLAI:—"Mr. Speaker, I feel that to-day is a red-letter day in the annals of the Legislature of this Province. Sir, as a result of the last forty years of agitation of the Scheduled classes for temple entry, the time has now come when, under the ægis of the Congress Government, it has been possible for us to place on the statute-book a legislation for the real social amelioration of a section of the Hindu community which has till to-day been at the outskirts of society. Sir, I will be failing in my duty if I do not record here my deep sense of gratitude to the Hon. the Premier for his courage and boldness in bringing forward a measure that will console the millions of Harijans in this Province. Sir, as one who has had throughout the greatest belief in the Hindu religion and its philosophy, I have been thinking within myself as to when the golden day would come when a Harijan as a Harijan could enter the portals of the Hindu temples. Sir, this Bill may have its limitations: but the moment the Bill becomes law and goes into the statute-book, I may tell this House there are many real Hindus who are only too prepared to come forward and open the temples to the Harijans.

7-30 p.m. "Sir, the mode of approach to the problem of temple entry has been its introduction first in Malabar, but I may tell this House that there is a great feeling that the moment the temples in Malabar are thrown open, then every district in the Presidency will come forward and claim this great privilege. I am glad, Sir, that under the ægis of Mahatma Gandhi and the Congress Ministry, it has been possible to solve this great problem of untouchability. As already pointed out by my hon. Friend, Mr. Murti, the opening of the temples is the crux of the problem of removing untouchability. At this particular moment, I feel, that it is my duty to request every one of the members of this House and also the people of Malabar to rise up to the occasion and give their hearty support to this Bill that will shortly become an Act of the land."

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*SRI E. KANNAN:—" Sir, this is a solemn occasion and I do not think it proper to express sentiments of resentment or criticism. Nevertheless, I should like to refer to certain points raised by my hon. Friend. Mr. R. M. Palat. . . "

MR. SPEAKER:—" Is the hon. Member going to refer to the old remarks made by him? "

* SRI E. KANNAN:—" No, Sir, but to the remarks just now made by him."

MR. SPEAKER:—" To the speech he made to-day at the third reading? But, you are evidently referring to some old stories. I think it is better to bury them."

* SRI E. KANNAN:—" Certainly I do so, Sir. I think, it was 30 years ago that Sir Sankaran Nayar, while opening a Panchama school in Palghat, expressed his opinion that it was unworthy of the culture and traditions of Malabar that any Malayali should stand in the way of any sort of social reform that gives the Harijans their elementary rights. I hope, that Sir Sankaran Nayar's son, the hon. Member, Mr. R. M. Palat, will be a worthy son of a worthy father (Hear, hear) and will give his enthusiastic support to the successful working of this Act, even though it has been his unfortunate lot to oppose this measure in this House. I do expect this statesmanship from him. In one of his memorable articles to the British Prime Minister, Mahatma Gandhi stated that no amount of sacrifice on the part of the caste Hindus will be a sufficient compensation for the centuries of degradation to which they have consigned the depressed classes. If to our janmi friends and sanatanists of Malabar the adoption of this Bill involves any sort of sacrifice, I only appeal to them to make those sacrifices in the spirit which Mahatma Gandhi has expected of every Hindu and to give their support to the successful working of this measure, which in the long run will only go to enhance their reputation and consolidate their position in the country."

* THE HON. DR. P. SUBBARAYAN:—" Mr. Speaker, I feel rather proud that the day has come when a measure of this kind is being passed into law; and what is more, the pride is greater because if I gave notice of a Bill at the time when I did, it was really the draftsmanship of my leader and the Prime Minister of to-day. It was really his effort and I think my hon. Friend representing the Scheduled castes of Madurantakam and Chingleput mistakes him when he thinks that he has gone back on what he did at that time. I can assure you, Sir, that the Hon. and learned Member representing the Universities of this Province has not gone back a single whit from the position he took up at that time and if he is passing the present measure into law, it is due to the fact that he wants to succeed in a measure of reform which

he has thought is very necessary, not only for the Hindu society but for the regeneration of our country. I think, he is taking a step in the right direction. But, I am sorry to think that my hon. Friend representing the Scheduled castes of Madurantakam and Chingleput should have mistaken the *bona fides* of one who helped him greatly and was even instrumental in making him introduce his measure in the Central Assembly of that day. I am sure he now realizes, as he has stated, and I want to thank him for the co-operation he gave in the Select Committee because I think the hon. Member has begun to see light and thinks that the measure is eventually destined to be what he and I and every one of us hold dear to our hearts. I can assure the hon. Member that I have not gone back on any of the sentiments I have expressed on public platforms to which he referred during his speeches in this Assembly. I am still of the same opinion and I do feel that for the reform of Hindu society, for the regeneration of our land, a measure of this kind is absolutely necessary. Hindu society, as a whole, must get rid of the trammels that have been hampering it in the form of certain ancient customs and superstitions. Hindu religion is a tolerant religion and has ruled over every one of us, whether we are of the higher classes or the lower classes. I am one of those who believe that this caste system will eventually disappear in this country and with its disappearance all these acerbities will also disappear. But let us do it with caution, with patience, because reforms are not made in a day. Patience always pays. I am sure the hon. Member will realize that what is being done by my leader, is done entirely in the interests of the larger feeling of humanity in our country and to make a united front that will carry us forward to our goal."

* SRI T. T. KRISHNAMACHARIAR:—" Mr. Speaker, I had not intended to speak at this stage of the proceedings, but I was drawn into it, probably because of the fact that at the time this Bill was sought to be introduced, I raised a technical point of order. I do not, in the first place, want it to be understood at all that I am either against the principle of the Bill or against the benefits that it is going to confer on the Harijan community. Sir, I have been of opinion for many years past that the main ground for this problem is the growing consciousness of the Harijan that he has a right for a proper status in Hindu society. I am one of those who feel convinced that a demand by a community so low in the economic order as the Harijans are to-day, to improve their social and economic conditions so that they can occupy their proper position in society, must be conceded. Therefore, Sir, I feel that it is a very necessary measure. I do not look at it from a purely religious point of view, though I would tell my Hon. Friend, the Minister for Education, that I do not look forward to the day when such sweeping changes as he contemplates would take place. But, nevertheless, I hold the opinion

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that if any person low down in the economic order wants to take up his proper position, he ought to be given it. I would rather that quicker advance is made in that direction and it is this that leaders of this community are keen on, a point that was conceded by my hon. Friend, Mr. Murti. I therefore believe that this move for temple-entry is at the bottom of it born of economic motives rather than religious ones. Whatever its origin might be, it has got to be conceded. If by means of allowing them entrance into temples their position will be bettered and they will be able to take their place along with their fellow-countrymen, that has got to be done. I wish this Government had undertaken a much larger and a more comprehensive measure. But, apparently, that is not to be yet. The Hon. the Leader of the House has decided about the method and the manner in which this problem has got to be tackled, about which I have not to say one word of criticism. I whole-heartedly wish, however, that this initial step that he has taken will succeed and that it will be possible during his term of Premiership of this Province to introduce a very much larger and a more comprehensive measure. I wish to congratulate the Congress Government and particularly the Premier on the step taken and wish the measure every success that it deserves."

* THE HON. MR. YAKUB HASAN :—" Mr. Speaker, Sir, the fact that in a House of 215 members, only two Hindu gentlemen have opposed this Bill and that also, I believe, only half-heartedly, shows that a great change has come upon the Hindu community."

MR. SPEAKER :—" I think, Mr. Palat is not here, otherwise he would have objected to the use of the word ' half-heartedly '."

* THE HON. MR. YAKUB HASAN :—" According to this Bill, the opening of a temple for the use of the Harijans depends on the decision of the voters in a particular area and these voters form the constituencies of the Members of this House. So, when their representatives have expressed themselves in favour of a measure, it would be for the constituencies to which reference would be made in particular places about particular temples, to say whether the views their representatives have expressed in the Assembly represent the views of their constituencies quite correctly or not.

" Sir, this is the first occasion that a Provincial Government in India has enacted a measure of this kind. A few years ago if such a measure had been introduced, it would have been considered as interference in religious matters. Sir, this question of interference in religious matters is being brought over and over again by those people who do not want any reform to take place. I consider that it is the principal duty of the Government to bring about social and religious reforms. It may be said that Government should not take up religious reform. It is quite true, but it all depends upon how far religion has been dragged into

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social matters. If people drag in religion in every matter there can be no hope of our effecting any reform in social matters. We, as a nation, are trying to overcome many of the difficulties and disabilities that are keeping us down and it is not easy to draw a line where Government should interfere and where they should not interfere.

7.45 p.m. "As I pointed out, it is a great act of courage of the Premier, who happens to be a Brahman and it was on his advice that the other Ministers have agreed to this measure. Not only that, it is a victory to the Congress that this Legislature has been able to place such an enactment on the statute-book which is bound to have far-reaching effect.

"The other day, we congratulated the ruler of an Indian State. No doubt it was a bold step; but it was an act of a ruler of a State. But here this is an Act of a democratic Government and as such carries greater weight than an act. . ."

Mr. Speaker:—"This is an Act of a Legislature—a democratic Legislature."

* The Hon. Mr. YAKUB HASAN:—"I thank you for your correction and I claim that as an Act of a democratic Legislature it is a bigger thing than an act of an autocratic ruler. Therefore, this Legislature deserves very warm congratulation on the passage of this measure and I am sure that as in the case of many other pieces of legislation, Madras has given the lead in this matter also and it is sure to be followed by other Provinces."

ABDUL HAMEED KHAN SAHIB Bahadur:—"Mr. Speaker, so far as this Bill is concerned, I along with my friends who belong to this party, believe that inasmuch as this measure is based on religious principles, it is not necessary that we should take part in the deliberations in the manner in which it was necessary for the non-official members of the Hindu community to take part. I believe that whenever legislation of this nature is considered by the House, it should be a convention that members belonging to that community which is directly affected by that legislation should alone have. . ."

Mr. SPEAKER:—"The hon. Member is placing a wide proposition before the House. Members have got the right of serving on a select committee if they are put in. I would suggest to the hon. Member not to deal with the question of establishing a convention at this stage for it will provoke a discussion which will not be relevant to the question under consideration. I suppose the hon. Member will stop there."

ABDUL HAMEED KHAN SAHIB Bahadur:—"I am sorry, Sir, I was only saying that we did not want to participate in the discussion."

Mr. SPEAKER:—"But some Muslim Members did participate in the debates and that very actively."

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ABDUL HAMEED KHAN SAHIB BAHADUR :—" As a matter of fact, we were not in the Select Committee and on the same principle, I was asking that a convention should be set up. The hon. Speaker knows that non-Hindus were excluded when the Select Committee was constituted and rightly excluded."

MR. SPEAKER :—" They were not excluded; they were not there."

ABDUL HAMEED KHAN SAHIB BAHADUR :—" They were deliberately not put in by the Hon. Mover of the Bill and I agree to the principle. But after what my Hon. Friend, Mr. Yakub Hasan, has said that the Government should legislate on religious questions, I am afraid, Sir, that I cannot agree with him so far as my religion is concerned. I do think, so far as I know the feelings of my community, I can vouch for the fact that my community is not prepared to accept any legislation on religious questions by this House."

MR. SPEAKER :—" The Legislature has got a right to legislate on such matters if it chooses."

* THE HON. MR. YAKUB HASAN :—" Especially so when it is demanded by that community."

Sri A. Vedaratnam Pillai rose.

MR. SPEAKER :—" At this stage, everybody might speak but we have barely ten minutes before us. I would suggest to the hon. Member to take only two minutes for his speech."

* **SRI A. VEDARATNAM PILLAI** :—" கனம் அக்கிராசனாதிபதி அவர்களே! இன்றைய தினம் இந்த மலையாள ஆலயப்பிரவேச மசோதா இந்த குதூகலத்திற்கிடையே எதிர்ப்பு இல்லாமல்—அன்று இந்த பில் வோட்டுக்கு விடப்பட்ட காலத்திலேகூட இரண்டுபேர் விரோதமாக வோட்டுச் செய்தார்கள்—நிறைவேறப்போகிற இந்த சந்தர்ப்பத்தில் ஒருவர் கூட விரோதமாக வோட்டுச் செய்வதற்கு இல்லாமல் ஏகமனதாக இந்த சபையிலே இதை அங்கீகரிக்கக்கூடியது ரொம்ப சந்தோஷத்தை அளிக்கக் கூடியதாக இருக்கிறது. வெகு காலமாக ஹிந்து சமூகத்திலே இருந்து இந்த கறைபோன்ற விஷயம் இந்த புண்ணிய தினத்திலே நீக்கப்படுவது மிகவும் போற்றத்தகுந்தது. இதற்கு மலையாளத்தை எடுத்ததைப் பற்றி அந்த ஜில்லா வாசிகளே சிலர் குறிப்பிட்டார்கள். மலையாளத்தை **lunatic asylum** என்று சிலர் குறிப்பிட்டிருக்கிறார்கள். ஆனால் நான் சொல்லுவேன், இந்த மலையாள ஜில்லாதான் இந்த ஹிந்து சமூகத்தை நிலை நாட்டக்கூடிய பெரியாராகிய சங்கராசாரியார் பிறந்த ஜில்லா. ஆகையினாலே அந்த இடத்தில் இந்த மசோதா நிறைவேறி அனுஷ்டானத்திற்கு கொண்டுவரப்பட்டால் இந்த நாட்டுக்கே பெரிய வழி காட்டியாக மலையாளம் இருக்குமென்று எதிர்பார்க்கின்றேன். அது அதிக வைதீகர்கள் பிறந்த இடம். இந்த இடத்தில் இந்த மசோதாவை அனுஷ்டானத்திற்குக் கொண்டுவருவது மிகுந்த கஷ்டமாக இருக்குமென்று சொன்னார்கள். **Czar** பிறந்த **Russia** நாட்டிலேதான் சமதர்மம் அனுஷ்டிக்கப்படுகிறது. அதே மாதிரியாக மலையாளம் சென்னை மாகாணத்திற்கு மாத்திரமல்ல அகில இந்தியாவுக்கே அது வழிகாட்டியாகும்

என்று நம்புகிறேன். அங்கேதான் மிகுந்த படித்த அறிவாளிகள், புத்திமான்கள் எல்லாரும் இருக்கிறார்கள். அந்த ஜில்லா வாசிகள் இந்த மசோதாவை நிறைவேற்றி, அடுத்த வருஷம், மதுவிலக்குச் சட்டத்தை எங்கள் ஜில்லாவுக்கு கொண்டுவரவேண்டுமென்று உற்சாகத்தோடு எப்படி ஒவ்வொரு ஜில்லா வாசிகளும் கேட்கிறார்களோ அதே மாதிரியாக, அடுத்த வருஷம். மலையாளத்தில் இந்தச் சட்டம் அமுலுக்கு வந்ததும், ஒவ்வொரு ஜில்லா வாசிகளும் எங்கள் ஜில்லாவுக்கும் இந்த ஆலயப் பிரவேச மசோதாவைக் கொண்டுவரவேண்டுமென்று ஒவ்வொருவரும், இங்கே இருக்கிற அன்பர்கள், அதற்காக சண்டையிடுவார்கள் என்று எதிர்பார்க்கிறேன். இந்த சட்டத்திலே எதிர் வாக்கு இல்லாமல் இந்த மசோதா நிறைவேறுவதற்காக நான் எங்கள் தலைவர்களை முழு மனதுடன் பாராட்டுகிறேன்."

* THE HON. SRI C. RAJAGOPALACHARIAR:—" Mr. Speaker, I am sorry that Mr. Krishna Rao is not here because something which he said, or I thought he said, made me think that there was some wrong opinion in his mind as to what exactly I felt in regard to all that he said. It seemed to me that he felt that I had said something to slight his position, or things of that kind. I want to tell him that that was not at all my intention. On the contrary I felt it sincerely and I say it now that I had the feeling that he was rendering a great service to the cause I had most at heart by putting forward what he felt. By saying the things that he said, he has not in any manner made our work difficult. On the contrary, he has made our work easier and more useful. I have not the slightest feeling of irritation or obstruction in regard to what he said and in fact I wanted to thank him for his help and express my gratitude for what he and his friend Mr. Palat have done. As regards, Mr. Palat, those who have worked in the Select Committee can very well understand the sincerity of my statement when I say that he was extremely useful in the Select Committee and he has made no small contribution to the Bill; and if the Bill succeeds, it is in no small measure due to Mr. Palat also. It is a mistake to imagine that opposition or criticism is mere obstruction. They are quite different from obstruction and we have not had any such obstruction in this matter either in the House or in the Select Committee. I am indeed very pleased to give expression to my gratitude to those hon. Members who had doubts and difficulties and represented them.

" My hon. Friend Mr. Palat—he is also not here—made an offer to us. He said that the orthodox Hindus will give some temples to the excluded classes and wanted us not to give any trouble in regard to the other temples. It was a good offer; but I am sorry to say that he is not here; for if he were here, I would have told him that I would consider many times before accepting that offer. For if we did that, this Bill would truly become, what Mr. Krishna Rao said it was, a temple exclusion Bill. So I cannot accept an offer of that kind. If the orthodox give us some temples

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and go away without having anything to do with them, the intention is that they want to keep some temples for themselves. It would be a partition of temples and not temple entry at all. Therefore, we would consider many times before accepting such an offer, for by such a process it would assume the colour which the opponents of the Bill attributed to it. I hope that that was not the spirit in which he made the offer. I hope that if he were here, he would have understood my objection and modified his offer and made a really good offer. If even one temple is given in the spirit in which I would like it to be given, it would satisfy my heart. But even if a hundred temples are given in such a manner as to savour of exclusion, as he seemed to offer, it would not satisfy my heart. It is not in numbers that we have to succeed but it is in the unification of the people for whom these temples were intended and the complete identity of all classes of the people before God that the success of this Bill consists.

" Then, Sir, ' What districts next? ' asks Mr. Rajah and wants an answer at once. May I tell him, to use his own words, that I want a great many favours from him in the future and therefore request him not to put such a question. For if he did, it would make our work difficult. I tell him as a brother and colleague that it would make our work very difficult and I hope it is not his intention. In a sense, I want to take all the people together. The whole Province must be with us. Why should we make any distinction just now after Malabar? I have given the reasons why I wanted a Malabar Bill and not an all-Madras Bill. I have stated the reasons over and over again. With regard to what may follow after Malabar, we need not go district by district. If Malabar succeeds, there is no reason to think of districts. We have crossed the Rubicon and it may very well be the conquest of the whole Province. But I do not want to commit myself or the House or the party or anybody interested in this cause to any particular step in regard to this matter. Wise men only consider about the next immediate step to be taken. We need not therefore think of the steps that lie beyond. If God leads us, gives us the light and we take the first step properly and take it effectively, the next step will be looked after by Providence and we need not bother about it. Let us consider what we should do after the conquest of Malahar, after we have conquered Malabar and not beforehand.

" Then, Sir, Mr. Rajah uttered a note of warning, so to say: 8 p.m.
' You have selected Malabar; the responsibility is yours.' I entirely accept that responsibility. There is no doubt that right or wrong, I asked the House to accept it and I have got its consent almost up to the last point and if the House accepts the Bill, it accepts it at my instance and the responsibility is entirely mine. Why did I do it? I have given my reasons but let

me add a more emotional reason. Where did we work as satyagrahis in connexion with the opening of these temples? At Guruvayur. Where did Kelappan fast? At Guruvayur. And where is Guruvayur? In Malabar. If for nothing else, for no other reason, for no other argument, for no other considerations of wisdom and forethought but only for this emotional attachment, it is a good step that we have taken. A great thing like this, of which people can be proud, let it be done in the place where the first shot was fired, so to say, where the first battle was fought. Let us do it there and let all the glory be Malabar's. If for this reason and no other, I take the responsibility of having this movement first tried and brought to a head in Malabar. Then again, I agree it may be wrong, I may have done wrong; after all, we have got to act on our judgment—and I am aware of the possibility of error in judgment of any kind. At the same time when we do act in human affairs, we have to take certain judgments and having taken this step and having chosen Malabar, it is no use, thinking thereafter as to whether it is right or wrong, for anybody, much less for those who have to work it. It is no use trying to wait for the day to say: 'Did I not tell you?' These things should be put aside altogether. We must say, 'Right or wrong, we have chosen this step.' Just as when we cross a river in flood, we do not know whether it is right to go by this path or by the other path, but when once twenty of us have entered the water and are going along, it is not for us to be asking and considering whether it is the right path or not; we must hold our hands one with another and go along bravely co-operating with one another. Therefore, I appeal to every one, whether it is on his responsibility or on another's that this step has been taken, that from now onwards, we must take it that this is the path we have chosen across the flood and we must go on. It is in that spirit that I appeal to Mr. Rajah—and I have great many favours still to expect from him—that he should not be harping back on the idea whether this was right or that was right.

"Mr. Krishnamachari made a speech that touched my heart. He said rightly, 'If this is successful, it is enough for the Congress Government.' I say: certainly. If this one thing is done (not done merely by passing to-day this Bill but done in the sense that I sketched before), if this one thing is done and achieved and we are able to open the great temples of Malabar, the other temples will open of themselves, like a spring door they will open, I may assure you. If one great temple in Malabar is opened, if this is achieved, it is a thing of which we can well be proud. And Mr. Krishnamachari was perfectly right in saying that it is enough for the Government holding office—not enjoying office, as somebody said. I do not rememher now who used it; yes, Mr. Rajah, who referred to Surendranath Banerjee—may his soul rest in peace! Surendranath Banerjee worked hard. I know he worked hard for many years, fifty years nearly, only the last

few years of which he was a Minister. He worked hard and it is those labours that we are carrying on, but we are not enjoying the fruits of, let me say, the advantages of office; it is not enjoyment; enjoyment is not the word for it at all. If we achieve this, I say we have a right to be proud of our achievement. If we stop there and do nothing more, even then we can say to the world that we have left a golden page in history. We can say that in the fullest sense of the term. I therefore greatly appreciate the words ringing with sincerity that came from Mr. Krishnamachari. He has opposed many measures and raised many points but never did he do so well as he did this evening. (Ministerialist cheers.)

" Sir, I want this House to accept this Bill not at all with the feeling that we have done, because it is a heavy responsibility that the House is taking in passing this measure. We cannot afford to lose in this battle. If we do, not only the Government, not only the Congress but Hinduism as a whole will have been defeated. Therefore realizing the fullest responsibility for this, we must vote for this measure, which is a mere machinery, merely a weapon which we take up to go out to battle. I hope, Sir, that the House will accept this Bill in that spirit."

The motion that the Bill be passed into law was put and carried and the Bill was passed into law. (Sri B. S. Murti: 'Mahatma Gandhi-ki-jai.')

The House then adjourned to meet again at 3 p.m. the next day.

Appendix I.

[*Vide* answer to starred question No. 456 asked by Sri V. S. R. M. Valliappa Chettiyar at the meeting of the Legislative Assembly held on the 8th December 1938, page 615 *supra*.]

G.O. Ms. No. 4387, L.A., dated 5th November 1938.

Read—the following papers :—

From the President, District Board, North Ramnad, dated 7th March 1938, No. 869/38.

From the President, District Board, Trichinopoly, dated 3rd August 1938, No. 16664-D/38.

Order—No. 4387, *L.A., dated 5th November* 1938.

The North Ramnad and Trichinopoly District Boards have passed resolutions recommending to the Government that the local fund maistris may be treated as part of the regular establishment so that they may be eligible for all the benefits (leavo, provident fund, travelling allowance, etc.) enjoyed by members of the regular establishment. The leave aud other charges involved in the proposal may affect the finances of the district boards considerably. The proposal is also open to the objection that it places the maistris under district boards in a more favourable position than that of maistris under Government. The Government therefore consider that it is not desirable to create a permanent establishment of road maistris.

(By order of His Excellency the Governor)

L. J. MacIver,
Secretary to Government.

To the President of the North Ramnad District Board.
„ President of the Trichinopoly District Board.
„ Examiner of Local Fund Accounts.
„ Inspector of Municipal Councils and Local Boards.
„ Special Engineer for Road Development.

APPENDIX II.

[Vide answer to unstarred question No. 147 asked by Sri K. V. R. Swami at the meeting of the Legislative Assembly held on the 8th December 1938, page 619 supra.]

Statement showing total quantity and value of sandalwood sold from each Forest Division and total expenditure incurred during the past five years.

Years.	1933–34.					1934–35.				
	Quantity.			Value realized.	Total expenditure incurred on maintenance and extraction.	Quantity.			Value realized.	Total expenditure incurred on maintenance and extraction.
(1)	(2)			(3)	(4)	(5)			(6)	(7)
	TONS.	QR.	LB.	RS.	RS.	TONS.	QR.	LB.	RS.	RS.
Cuddapah, South	0	24	0	167	12	0	42	12	283	10
Chittoor	0	14	25	109	473	0	33	7	184	561
Vellore, East	25	0	0	21,209	1,904	45	0	0	31,872	3,017
Vellore, West	23	55	27	31,587	2,369	53	51	2	27,348	3,770
Salem, North	234	3	0	2,05,017	20,597	331	75	0	2,34,016	26,482
Salem, Central	25	20	0	22,119	5,482	17	0	0	12,053	3,275
Salem, South	19	72	7	12,560	3,865	18	18	17	14,456	3,338
Coimbatore, North	83	40	0	72,632	7,909	76	58	0	48,498	7,910
Kollegal	65	76	0	61,655	5,356	58	7	0	39,692	4,820
Tinnevelly	15	25	0	11,273	1,060	3	47	0	3,001	366
Nilgiris	19	22	0	16,855	2,730	29	0	0	19,817	4,203
Mangalore, North	1	19	24	1,047	1,033	4	39	23	3,107	1,068
Mangalore, South	14	15	24	13,253	5,399	12	37	23	9,146	2,795
Anantapur	0	0	2	1	11	0	6	16	..	56

Years.	1935-36. Quantity. (8) TONS.	QR.	LB.	Value realised (9) RS.	Total expenditure incurred on maintenance and extraction. (10) RS.	1936-37. Quantity. (11) TONS.	QR.	LB.	Value realized. (12) RS.	Total expenditure incurred on maintenance and extraction. (13) RS.	1937-38. Quantity. (14) TONS.	QR.	LB.	Value realized. (15) RS.	Total expenditure incurred on maintenance and extraction. (16) RS.
Cuddapah, South	0	32	16	299	31	0	53	9	514	52	0	8	6	64	26
Chittoor	0	42	17	319	275	5	12	6	1,839	1,151	3	32	2	2,754	585
Vellore, East	54	0	0	36,199	3,544	58	0	0	35,478	3,991	69	0	0	45,564	6,595
Vellore, West	46	46	16	36,080	3,146	77	75	15	60,656	4,602	96	42	23	58 660	5,286
Salem, North	439	49	0	3,02,022	30,778	666	2	0	4,09,605	50,747	643	68	0	3,94,036	42,866
Salem, Central	13	40	0	9,156	2,642	14	77	0	13,375	3,048	8	8	7	5.055	2,168
Salem, South	18	42	18	13,265	2,792	12	51	8	13,240	2,410	20	26	7	12,396	3,088
Coimbatore, North	113	14	0	74,876	10,014	163	46	0	90,156	13,282	161	73	0	90,706	12,365
Kollegal	120	48	0	82,849	8,736	56	67	0	33,393	4,190	152	13	0	91,673	8,007
Tinnevelly	2	26	0	1,557	323	2	26	0	1,391	247	2	75	0	1,790	303
Nilgiris	62	20	0	38,570	5,395	79	44	0	54,406	7,115	56	42	0	31,541	4,885
Mangalore, North	3	27	12	2,541	402	3	3	10	2,070	328	32	2	15	23,759	2,628
Mangalore, South	2	76	20	2,313	2,345	0	62	13	486	279	1	21	23	890	87
Anantapur	0	23	0	121	188	1	9	26	642	284	0	10	27	157	276

APPENDIX III.

[Vide answer to unstarred question No. 150 asked by Sri Gandhi Venkata Reddi at the meeting of the Legislative Assembly held on the 8th December 1938, page 622 supra.]

	Recurring. PER ANNUM. RS.	Non-recurring. RS.
1 Eventual savings on account of the abolition of the Lady Willingdon Medical School for Women, Madras	— 79,600	..
2 Eventual extra cost on account of the conversion of the Stanley Medical School into a Medical College	64,200	..
3 Eventual extra income by way of fees	— 46,600	..
4 Extensions to the Stanley Medical College ..	..	3,80,000
5 Minor improvements to the Medical College, Madras, on account of the centralization of teaching of certain subjects for the two colleges	..	4,000
6 Book value of the buildings available for sale or transfer to other departments—		
(i) Premises of the Lady Willingdon Medical School at Egmore	..	1,18,777
(ii) Dissection Hall in the Marina	..	57,219

APPENDIX IV.

[Vide answer to unstarred question No. 154 asked by Sri S. Nagappa at the meeting of the Legislative Assembly held on the 8th December 1938, page 624 supra.]

List of members of the Kurnool Land Mortgage Bank.

1 N. Shanker Reddi.
2 Dr. Mahamad Azam Sahib.
3 C. B. Venkatrami Reddi.
4 B. Pedda Venkata Reddi.
5 Jutur Ramayya Chetti.
6 A. Chowdeshwar Rao.
7 H. M. D. Ladu Abdul Gafoor Sahib.
8 C. Abdul Sattar Sahib.
9 Syed Hassan Bokahari Sahib.
10 Haji Ummar Sahib.
11 Haji Kadu Mahamad Hussain.
12 Abdul Sattar Saheb, K.
13 H. M. D. M. Davood Khan Sahib.
14 H. M. D. J. Yaseen Khan.
15 Ghali Venkobachar.
16 B. Shiva Reddi.
17 M. Hanumantha Rao.
18 Gande Vengala Reddi.
19 R. Srinivasa Rao.
20 P. Venkata Reddi.
21 Yalluri Swami Reddi.
22 Yalluri Venkata Reddi.
23 P. Laxmi Reddi.
24 B. Ramakrishna Reddi.
25 Kondakrindi Nagi Reddi.
26 N. Narayana Reddi.
27 Vangala Sesha Reddi.
28 G. Sultan Khan.
29 Kattamudi Fakir Sahib.
30 Pullayala Venkata Krishna Reddi.
31 Medam Venkiah Chetti.
32 Medam Venganna Chetti.
33 Medam Seshanna Chetti.
34 Medam Chandramowli Chetti.
35 Medam Krishna Moorthi Chetti.
36 Uppala Ramaswami Chetti.

*NOTE.—Thirty members as on 8th October 1938 and six since added.

APPENDIX V.

[Vide answer to unstarred question No. 155 asked by Sri S. Nagappa at the meeting of the Legislative Assembly held on the 8th December 1938, page 625 supra.]

Statement showing the names of panchayats in the Kurnool district.

Name of panchayats in which Harijans are represented. (1)	Name of panchayats in which Harijans are not represented. (2)	Reasons for not giving representation for Harijans in the panchayats in column (2). (3)
	1. *Cumbum taluk.*	
1 Yedavalli.	1 Jallivanpulla cheruvu.	For want of sufficient number of voters belonging to the "Scheduled castes" at the time of the constitution of the panchayats.
2 Racherla.	2 Chollavidu.	
3 Akavidu.		
4 Tirumalli.		
5 Palakavidu.		
6 Pusalapadu.		
7 Chinnacumbum.		
8 Daddavada.		
9 Yerrahalem.		
10 Lingapuram.		
11 Gudemetta.		
12 Ammenapalli.		
13 Cumbum.		
14 Giddalore.		
	2. *Dhone taluk.*	
1 Sudepalli.	1 Pyapali.	For want of sufficient number of voters belonging to the "Scheduled castes" at the time of the constitution of the panchayats.
2 Kochcheruru.	2 Veldurti.	
3 Gutupalli.		
4 Dhone.		
5 Betamcherla.		
	3. *Koilkuntla taluk.*	
1 Penda Emmanuru.	1 Akumalla.	For want of sufficient number of voters belonging to the "Scheduled castes" at the time of the constitution of the panchayats.
2 Krishtipadu.	2 Peda Venuturla.	
3 Mukkamala.	3 Kakaravada.	
4 Alavakonda.		
5 Sivavaram.		
6 Uppalapadu.		
7 Nossam.		
8 Motupalli.		
9 Gullasingavaram.		
10 Sangapatnam.		
11 Junnutula.		
12 Bhimmnipadu.		
13 Koalngotla.		
14 Chanugondla.		
15 Koilkuntla.		
16 Owk.		
	4. *Kurnool taluk.*	
1 Polurallu.	1 Belagal.	For want of sufficient number of voters belonging to the "Scheduled castes" at the time of the constitution of the panchayats.
2 Kondapuram.	2 Gadidamadugu.	
3 Kotrakota.	3 Narunuru.	
4 Munagala.	4 Puricherla.	
5 Loddagiri.	5 Ulindakonda.	
6 Rudravaram.	6 Voravakallu.	

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Name of panchayats in which Harijans are represented. (1)	Name of panchayats in which Harijans are not represented. (2)	Reasons for not giving representation for Harijans in the panchayats in column (2). (3)
	4. *Kurnool taluk*—cont.	
7 Kallur.		
8 Ramali.		
9 Purla.		
10 Bastipadu.		
11 Lanjapolur.		
12 Pyalakurti.		
13 Kouthalapad.		
14 Joharapuram.		
15 Amadaguntla.		
16 Varakuru.		
17 Chanugondla.		
18 Sakunala.		
19 Anugonda.		
20 Ayyavari Gokulapadu.		
21 Kalva.		
22 Mudumalagunta.		
23 Ulchala.		
24 Midivemula.		
25 Gorantla.		
26 Gudur.		
27 Kodumur.		
	5. *Markapur taluk.*	
1 Gajjalakonda.	1 Dupadu.	For want of sufficient number of voters belonging to the "Scheduled castes" at the time of the constitution of the panchayat.
2 Doranala.		
3 Chapalamadugu.		
4 Ganapavaram.		
5 Isukatipuravaram.		
6 Tripurantakam.		
7 Markapur.		
	6. *Nandikotkur taluk.*	
1 Pratakota.	1 Musalimadugu.	For want of sufficient number of voters belonging to the "Scheduled castes" at the time of the constitution of the panchayats.
2 Motukuru.	2 Cherukucharla.	
3 Vaddamanu.		
4 Taruturu.		
5 Sidanvaram.		
6 Brahmanakotu.		
7 Chelimella.		
8 Nandikunta.		
9 Devanuru.		
10 Pamulapadu.		
11 Perumanchala.		
12 Mandlem.		
13 Pagidyala.		
14 Masapeta.		
15 Chantkur.		
16 Kodumuru.		
17 Mittakondla.		
18 Kumkumda.		
19 Damagatta.		
20 Thalamudipi.		
21 Iskala.		
22 Ramapuram.		
23 Tatipadu.		
24 Nagatur.		
25 Nandikotkur.		
26 Atmakur.		
27 Velagodu.		

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Name of panchayats in which Harijans are represented. (1)	Name of panchayats in which Harijans are not represented. (2)	Reasons for not giving representation for Harijans in the panchayats in column (2). (3)
	7. *Pattikonda taluk.*	
1 Kondavati.	1 Devanakonda.	For want of sufficient number of voters belonging to the "Scheduled castes" at the time of the constitution of the panchayats.
2 Gundalakonda.	2 Hosuru.	
3 Nalakadoddi.	3 Maddikara.	Because the formation of the electoral wards facilitates the return of two candidates belonging to the "Scheduled castes" for two non-reserved seats.
4 Padnikona.		
5 Nallachelimala.		
6 Mulagundam.		
7 Kadivella.		
8 Karumanchi.		
9 Tonnagiri.		
10 Bailuppa.		
11 Khairuppala.		
12 Juturu.		
13 Pagadrayi.		
14 Kotakonda.		
15 Billekallu.		
16 Yatakallu.		
17 Mukkella.		
18 Guttierragudi.		
19 China Pendekallu.		
20 Pottapadu.		
21 Pattikonda.		
	8. *Sirvel taluk.*	
1 Allagadda	1 Chagalamarri.	For want of sufficient number of voters belonging to the "Scheduled castes" at the time of the constitution of the panchayats.
2 Kotakandukur.	2 Podakandla.	
3 Mahadevapuram.		
4 Srirangapuram.		
5 Ellavattula.		
6 Boyalakuntla.		
	9. *Nandyal taluk.*	
1 Bandiyatmakur.	1 Santajuturu.	For want of sufficient number of voters belonging to the "Scheduled castes" at the time of the constitution of the panchayats.
2 Nandipalle.	2 Pulimaddi.	
3 Chabolu.	3 Madduru.	
4 Bilakalagudur.	4 Duveshi.	
5 Gadivemula.	5 Gorakallu.	
6 Balapanam.		
7 Togarchedu.		
8 Alamuru.		
9 Udumalpuram.		
10 Karimuddala.		
11 Pesaravay.		
12 Galichennayapalem.		
13 Chinduküru.		
14 Bollavaram.		
15 Tiramapuram.		
16 Gayulapalle.		
17 Polur.		

APPENDIX VI.

[Vide item II at page 627 supra.]

To

THE HONOURABLE THE LEGISLATIVE ASSEMBLY, MADRAS.

The Select Committee appointed to consider the Madras Minor Ports Fund Bill, 1938 (L.A. Bill No. 20 of 1938), has the honour to make the following report.

2. This Bill was published in the *Fort St. George Gazette* in English on 12th August 1938 and again on 4th October 1938. It was also published in Tamil, Telugu, Kannada and Malayalam on 11th October 1938.

3. The Committee was appointed on 30th November 1938, with instruction to report on the 5th December 1938, if possible.

4. The Committee met on the 3rd and 4th December 1938 in the Legislative Assembly Buildings and subjected the provisions of the Bill to a careful scrutiny.

5. It has made the following among other changes:—

(i) *Preamble.*—The Committee has inserted in the preamble an additional paragraph containing a reference to the constitution of the Tuticorin Port Trust Fund in 1924.

(ii) *Clause* 2.—The Committee considers that in this clause, all the words following " the Province of Madras " are unnecessary. The words have accordingly been deleted. The words " other than Tuticorin " have been added at the end of the clause.

(iii) *Clause* 3.—The Committee considers that out of the amount standing to the credit of the Minor Ports Fund on the 31st March 1939, a sum of Rs. 20 lakhs should be retained in the Ports Fund, so that all possible expenditure for the improvement of minor ports may be met without difficulty, and that only the balance should now be credited to the Provincial Revenues. It also considers that out of the

amount standing to the credit of the Fund on the 31st March of 1940 and every succeeding year, any amount in excess of such sum as, with the approval of the Legislative Assembly may be fixed by the Government, may be so credited. Clause 3 has been re-drafted accordingly.

6. A copy of the Bill as amended by the Committee is annexed. The Committee thinks that the Bill need not be republished.

YAKUB HASAN,
Chairman.

4th December 1938.

ANNEXURE

[*Note.*—**The changes made by the Select Committee are shown in clarendon type and the portions omitted are shown by dots.**]

L.A. BILL No. 20 OF 1938.

A Bill to provide for the disposal of the balance to the credit of the Minor Ports Fund in the Province of Madras.

(As amended by the Select Committee.)

WHEREAS under *sub-section (6) of section 36 of the* Indian Ports Act, 1908, the disposal of the balances XV of
from time to time standing to the credit of port fund accounts is subject to the provisions of any local law;

AND WHEREAS . . . . the Provincial Government have directed that . . . . all . minor ports in the Province of Madras . . . . . should be regarded as constituting a single port with a common port fund called the Minor Ports Fund;

And whereas subsequently the Tuticorin Port Fund has been constituted as a separate fund under the Tuticorin Port Trust Act, 1924;

AND WHEREAS it is expedient to provide by an Act of the Provincial Legislature for the disposal of the balance **which is now standing and which may** from time to time stand . to the credit of the said Minor Ports Fund **other than that of Tuticorin;**

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It is hereby enacted as follows :—

t title extent. 1. (1) This Act may be called the Madras Minor Ports Fund Act, 1938.

(2) It extends to the whole of the Province of Madras.

ition Minor s i. 2. In this Act, 'Minor Ports Fund' means the common port fund of all the minor ports situated in the Province of Madras **other than Tuticorin**

. . . .

. . . .

. . . .

. . . .

osal of us on 1st h 1939. **3. The balance standing on the 31st day of March 1939 to the credit of the Minor Ports Fund in excess of twenty lakhs of rupees shall be credited to and shall be disposed of along with the rest of the revenues of the Province.**

osal of quent uses **4. The Provincial Government shall have power to credit to the revenues of the Province and dispose of, such portion of the balance standing to the credit of the Minor Ports Fund on the 31st day of March 1940 or any subsequent year as they may, with the approval, by resolution, of the Madras Legislative Assembly, determine.**

APPENDIX VII.

[Vide item III at page 638 supra.]

To

THE HONOURABLE THE LEGISLATIVE
ASSEMBLY, MADRAS.

The Select Committee consisting of the following members appointed to consider the Malabar Temple Entry Bill, 1938 (L.A. Bill No. 21 of 1938) have the honour to make the following report:—

(1) The Hon. Dr. T. S. S. Rajan.
(2) The Hon. Dr. P. Subbarayan.
(3) Srimathi A. V. Kuttimalu Amma.
(4) The Hon. Sri V. I. Muniswami Pillai.
(5) Sri Rao Bahadur M. C. Rajah.
(6) Sri R. M. Palat.
(7) Sri B. Bhakthavathsalu Nayudu.
(8) Sri E. Kannan.
(9) Sri R. Raghava Menon.
(10) Sri B. S. Murti.
(11) Sri K. V. R. Swami.
(12) The Hon. Sri C. Rajagopalachariar (*Chairman*).

1. This Bill was published in the ***Fort St. George Gazette*** in English on the 30th August 1938, and in Malayalam on the 20th September 1938.

2. The Committee was appointed on the 2nd December 1938 with instruction to submit its report before the 5th December 1938.

3. The Committee met on the 3rd and 4th December 1938, considered the various representations which had been made to it regarding the Bill and subjected the provisions of the Bill to a careful scrutiny. As a result of such scrutiny, it has made several changes in the Bill.

4. *Clause* 2.—The Committee thinks that the expression 'excluded class' is preferable to the expression 'excluded caste' and has accordingly substituted the

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expression 'excluded class' for the expression 'excluded caste' wherever it occurs in the Bill. In view of the fact that there are some temples in which some excluded classes are admitted into the precincts of the temple, though not allowed to go beyond, into other parts accessible to the bulk of the worshippers, the Committee has added at the end of the definition of 'excluded class', the following words:—

> "or who, though admitted into the precincts of the temple, are not allowed entry into any part of the temple where the bulk of the worshippers are allowed."

For the same reason it has also added to the definition of the word 'temple' in sub-clause (4) the words 'and in any context with reference to entry shall mean every part of the temple which is open to the bulk of the worshippers.'

To exclude institutions which have been declared by a Court of Law or accepted by the Hindu Religious Endowments Board as private property, and also any other institution which may be so declared in a suit or proceeding now pending before a court or before the Board, the Committee has added two provisos to the definition of 'temple' to carry out the above intention, fixing the 1st April 1938 as the determining date for the recognition of pendency.

In the definition of the word 'Trustee' the words 'whether hereditary or non-hereditary' have been added at the end, to make it clear that the word applies to both hereditary and non-hereditary trustees.

Necessary changes have been made in the definition of 'voters' to show that the voters must be persons included in a list to be prepared under the rules made under this Act and that the electoral roll of the Legislative Assembly referred to in it is that of the general constituency of the Assembly.

A definition has been added of the word 'worship' as the Committee thinks that it should be made clear that worship means such worship as the bulk of the worshippers participate in, in accordance with the regulations, if any, made by the trustees applicable in common to the bulk of the worshippers.

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5. *Clause* 3.—To enable the Government to see that the procedure of this Act is not abused, the Committee considers it necessary that the Provincial Government should have power to intervene before the procedure of taking the opinion of the Hindu voters is put into operation. It has accordingly provided in sub-clause (1) that on the receipt of a requisition for a reference, the trustees shall forward it to the Provincial Government and that the Provincial Government shall thereupon direct the trustees to refer the matter for the opinion of the voters, provided that, if the Provincial Government are of opinion, that the requisition is not made for the furtherance of the objects of the Act, they may direct that no action be taken thereon.

6. *Clause* 4.—The Committee has also made similar provision in sub-clause (2) of clause 4 by enacting that where written objections are preferred, they shall first be forwarded to the Provincial Government and that the question of reference to the voters shall thereafter depend upon the direction of the Provincial Government.

7. *Clause* 5.—As under sub-clause (2) of this clause, the Provincial Government have got power to suspend all proceedings taken upon a requisition before the result of a reference to the voters is announced, sub-clause (1) is unnecessary, and it has accordingly been deleted.

8. *Clause* 7.—As the Committee has defined the term 'worship,' all the words following the expression 'in such worship' in line 7 of this clause have been deleted.

9. *Clause* 9.—For the same reason, clause 9 has been omitted.

10. *Clause* 10.—In items (*b*) and (*c*) of sub-clause (2) of this clause, the Committee has made it clear that the power of the Provincial Government to make rules shall, in respect of the presentation of requisitions *referred to in clauses 3 and 6 and of the publication of* orders and notices by trustees, apply not only to the *manner* of such presentation or publication, but to all matters relating to such presentation or publication.

In item (*e*), the Committee has inserted the words 'the preparation and publication of the lists of voters,' as it is one of those matters in regard to which the Provincial Government should have power to make rules.

11. *Clause* 12.—At the instance of Sri R. M. Palat the Committee has inserted in this clause the following additional sub-clause, viz.:—

> "The Provincial Government shall have power to exempt from the provisions of this Act such institutions as, in their opinion, are in the nature of family temples, and may be exempted without prejudice to the objects of this Act."

12. The Committee has made some other minor changes, but does not consider it necessary to refer to them in detail.

13. The Committee is of opinion that the changes made in the Bill are not such as to require republication of the Bill.

14. A copy of the Bill as amended by the Committee is annexed.

C. RAJAGOPALACHARIAR,
Chairman.

4th December 1938.

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ANNEXURE.

[*Note.*—The changes made by the Select Committee are shown in clarendon type and the portions omitted are shown by dots. References in square brackets in the margin are to the clauses of the Bill as introduced.]

L.A. BILL No. 21 OF 1938.

A Bill to remove the disabilities of certain classes of Hindus in regard to entry into temples in the district of Malabar.

(As amended by the Select Committee.)

WHEREAS the disabilities imposed by custom and usage on certain classes of Hindus in respect of their entry into, and offering worship in, Hindu temples should be removed,

AND WHEREAS, however, doubts have been entertained whether the trustees of such temples have the power in law to make any such innovation in practice,

AND WHEREAS it is just and expedient that these doubts should be removed and the trustees should be empowered by law to extend to all classes of Hindus the right of entry into, and worship in, temples if the Hindus in the locality who are now entitled to such entry are generally in favour of such extension,

AND WHEREAS, further, such extension of rights and privileges in Hindu temples to classes hitherto excluded has been recently ordered and peacefully brought into effect in one part of Kerala, and by reason of common traditions and identity of language, customs, forms of worship and the like, the removal of the disabilities aforesaid has been not only more insistently demanded, but also made more easy of accomplishment in the first instance, in another part of Kerala,

It is hereby enacted as follows :—

1. (1) This Act may be called the Malabar Temple **Entry** Act, 1938. Short and e

(2) **It extends to the whole of the District of Malabar.**

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2. In this Act, unless there is anything repugnant in the subject or context— Definitions.

(1) 'Board' means the Board of Commissioners constituted under section 10 of the Madras Hindu Religious Endowments Act, 1926, or any other authority in which the powers and functions of the said Board in respect of a temple may for the time being be vested;

Madras Act II of 1927.

(2) 'excluded **class**' means any caste or class of the Hindu community which, by reason of any established usage or custom, is excluded from entering the temple concerned, **or who, though admitted into the precincts of the temple, are not allowed entry into any part of the temple where the bulk of the worshippers are allowed;**

(3) 'prescribed' means prescribed by rules made under section 9;

(4) 'temple' means a place, by whatever designation known, which is used as a place of public worship by the Hindu community generally except excluded **classes** and which was at any time assessed to contribution under section 69 of the Madras Hindu Religious Endowments Act, 1926, on an annual income of not less than Rs. 5,000; **and in any context with reference to entry shall mean every part of the temple which is open to the bulk of the worshippers:**

Madras Act II of 1927.

Provided that any temple which has been before the 1st of April 1938 declared by the final order of a competent court to be private property or accepted by the Board as private property shall not be a temple under this Act:

Provided further that any temple in respect of which a question as to whether it is private property has been already raised in a suit in a court of law or in an application before the Board registered before the 1st of April 1938, the final decision in such a proceeding shall determine whether such a temple shall be excluded from this Act.

(5) 'trustee' means a person by whatever designation known, in whom the administration of a temple is vested, **whether hereditary or non-hereditary;**

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(6) 'voters' means the Hindu voters, other than those belonging to excluded classes, on the electoral roll of the Madras Legislative Assembly . . . . for the time being in force relating to the general constituency of the revenue taluk in which the temple is situated including the municipal areas therein, who are included in a list prepared under rules made under section 9 of this Act; and

(7) 'worship' means such religious service as the bulk of the worshippers participate in, in accordance with the provisions of such regulations as may be made by the trustees for the maintenance of order and cleanliness and the due observance of the religious rites and ceremonies performed in the temple.

Requisition to trustees to throw open temples to excluded classes.

3. (1) On receipt by the trustees of a temple of a requisition in writing signed by not less than fifty voters requesting them to throw open the temple to persons belonging to excluded classes, the trustees shall forward the requisition to the Provincial Government and the Provincial Government shall thereupon direct the trustees to refer the matter to the voters and ascertain their opinion by votes, in the prescribed manner:

Provided that if the Provincial Government are of opinion that the requisition is not made for the furtherance of the objects of the Act, they may direct that no action be taken thereon.

(2) Where on such reference the . . . . . result is found by a majority of the votes . . . to be in favour of throwing the temple open to persons belonging to excluded classes, the trustees shall publish in the prescribed manner an order to the effect that the temple shall thereafter be open to persons belonging to excluded classes.

Power of trustees to issue notice of proposal to throw open temples to excluded classes.

4. (1) Notwithstanding any law, custom or usage to the contrary, it shall be open to the trustees of a temple to publish in the prescribed manner a notice to the effect that they propose to make an order throwing the temple open to persons belonging to excluded classes. Such notice shall also state that objections to the proposal may be preferred to the trustees at any time within one month from the date of the publication of the notice.

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(2) If within one month from the date of the publication of the notice referred to in sub-section (1), written objections to the proposal are preferred by not less than fifty voters, the **same shall be forwarded to the Provincial Government, and thereafter, on a direction from them, the question** whether the temple shall or shall not be thrown open to persons belonging to excluded **classes** shall be referred for the opinion of the voters as if a requisition had been received under *sub-section (1) of section 3.*

(3) If in any case where action under sub-section (1) is taken by the trustees, and no objection as specified in sub-section (2) is preferred, or if on a reference made under sub-section (2), the **result** . . . is found to be in favour of throwing the temple open to persons belonging to excluded **classes**, the trustees shall publish in the prescribed manner an order to the effect that the temple shall thereafter be open to persons belonging to excluded **classes**.

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[Cl. 5 (2).] **5.** The Provincial Government may, at any time, before the results of any reference to the voters are announced, order that all further action in respect of such reference shall be suspended and upon such order all previous proceedings relating thereto shall be deemed to have been cancelled.

Power of trustees to throw open temples to excluded classes without reference to voters in certain cases.

6. Where on a reference made to the voters under sub-section (1) of section 3 or sub-section (2) of section 4 the **result** is found to be in favour of throwing a temple open to persons belonging to excluded **classes**, the trustees of any other temple situated in the same revenue taluk, within two years from the date of such reference, may of their own motion and shall on receipt of a requisition in writing signed by not less than fifty voters, publish in the prescribed manner an order to the effect that the temple shall be open to persons belonging to excluded **classes**.

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Effect of order under section 3 (2), 4 (3) or 6.

7. Where an order has been published under sub-section (2) of section 3, or sub-section (3) of section 4, or section 6, it shall be lawful, notwithstanding any custom or usage to the contrary, for any person belonging to excluded classes to enter the temple concerned . . . . and participate in . worship therein. . . . .

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Fresh proceedings not to be taken in certain cases.

8. Where on a reference made to the voters under sub-section (1) of section 3 or sub-section (2) of section 4, the result is found to be against throwing the temple open to persons belonging to excluded classes, no further proceedings shall be taken either under sub-section (1) of section 3 or under sub-section (1) of section 4 for a period of two years from the date of such reference in respect of such temple or any other temple in the same revenue taluk.

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Rules.

9. (1) The Provincial Government may make rules for the purposes of carrying into effect the provisions of this Act. [Cl. 10.

(2) Without prejudice to the generality of the foregoing power the Provincial Government may make rules—

(*a*) with reference to all matters allowed to be prescribed by this Act;

(*b*) as to the form and presentation of the requisitions and objections referred to in sub-section (1) of section 3, section 4 and section 6;

. . . .

. . . .

(*c*) as to the . . publication of orders and notices by trustees;

(*d*) as to the method in which the opinion of the voters shall be ascertained; and

(*e*) as to the preparation and publication of the lists of voters, and the decision of all disputes which may arise in connexion therewith or in respect

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of requisitions and objections from voters under sections 3, 4 and 6 or in relation to the references to the voters **under sections 3 and 4 and** the ascertainment **and publication of the results thereof.**

(3) All rules made under this section shall be published in the official gazette and on such publication shall have effect as if enacted in this Act.

l. 11] **10.** If any difficulty arises in giving effect to the provisions of this Act the Provincial Government, as occasion requires, may order the doing of anything necessary for the purpose of removing the difficulty. **Power to remove difficulties.**

l. 12] **11.** (1) If any question arises as to whether a place is or is not a temple as defined in this Act the question shall be referred for the decision of the Provincial Government and their decision shall be final. **Power to decide disputes.**

(2) The Provincial Government shall have power to exempt from the provisions of this Act such institutions as, in their opinion, are in the nature of family temples and may be exempted without prejudice to the objects of this Act.

l. 13] ras Act of 1927. **12.** In section 40 of the Madras Hindu Religious Endowments Act, 1926, the words and figures "Subject to the provisions of the Malabar Temple Entry Act, 1938," shall be inserted at the commencement. **Amendment of section 40, Madras Act II of 1927.**

THE MADRAS LEGISLATIVE ASSEMBLY.

Friday, the 9th December 1938

The House met in the Assembly Building, Chepauk, at three of the clock, Mr. Speaker (THE HON. SRI B. SAMBAMURTI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Retrenchment of Excise staff due to the introduction of prohibition.

* 462 *Q.*—SRI G. KRISHNA RAO: Will the Hon. the Prime Minister be pleased to state—

(*a*) how many excise officers and hands in all cadres who held temporary posts were thrown out of employment by the introduction of prohibition in Salem;

(*b*) how many permanent hands were absorbed in service in other places;

(*c*) how many retirements, if any, were effected; and

(*d*) how many temporary hands are likely to be sent out by the introduction of prohibition in the districts of Cuddapah and Chittoor?

THE HON. SRI C. RAJAGOPALACHARIAR:—"(*a*) & (*b*) The hon. Member's attention is invited to the answer to clauses (*a*), (*b*) and (*c*) of unstarred question No. 148. It is presumed that the phrase temporary in the question has the meaning of officiating. The whole of the permanent staff has been employed elsewhere.

"(*c*) None.

"(*d*) A report has been called for."

SRI G. KRISHNA RAO:—"May I request the Government to follow a fixed policy in regard to providing employment for the temporary hands in the Excise Department who have been thrown out of employment owing to the introduction of prohibition policy?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"The hon. Member will see if he studies the answer, that no permanent man is thrown out of employment. It is only probationers at the bottom that are discharged, and almost all of them have been taken back. There is no question of a fixed policy newly being adumbrated."

SRI V. J. GUPTA :—" Is it a fact that the Excise Sub-Inspectors who have been thrown out of employment on account of the introduction of prohibition in the districts of Salem, Chittoor and Cuddapah, have been distributed all over the Presidency, in order to provide them employment? "

THE HON. SRI C. RAJAGOPALACHARIAR :—" The hon. Member is arguing about those who have been thrown out of employment by the introduction of prohibition in Salem. Such probationers as have been thrown out of employment on account of prohibition in Salem have been absorbed in the service elsewhere all over the Presidency. The question apparently refers to some probationary Sub-Inspectors who have been thrown out of employment in Waltair where prohibition has not been introduced."

MR. SPEAKER :—" I was under the impression that Mr. Krishna Rao has put his supplementary question by way of cross-examination, and now the hon. Congress Member has put another supplementary question by way of re-examination." (Laughter.)

Renters of the Madras City toddy shops and the marking of coconut trees.

*463 *Q.*—SRI V. M. RAMASWAMI MUDALIYAR: Will the Hon. the Prime Minister be pleased to state—

(*a*) how many toddy shops there are in the city and out of these, how many shops have been rented out to city dwellers and how many have been rented out to outsiders;

(*b*) how many coconut trees have been marked in respect of each of the city shops and how many of them are—

(i) trees marked in the City of Madras;

(ii) trees marked outside the city; and

(*c*) whether the rule prescribing 15 per cent of trees to be marked applies to each shop or to the lot taken together; whether the notification on the point will be placed on the table of the House?

THE HON. SRI C. RAJAGOPALACHARIAR :—" (*a*) There are 57 toddy shops in the City of Madras of which 38 have been leased to local men and the rest to outsiders.

" (*b*) The Government have no information in regard to each shop.

" (*c*) The rule applies collectively to the 57 shops in the City and 11 shops in the belt area and not to each individual shop. No notification has been issued on the subject."

SRI B. BHAKTHAVATHSALU NAYUDU :—" May I know whether it is a fact that Government issued orders to the Excise authorities not to mark trees in the belt area of North Arcot

district more than the average, but subsequently they have cancelled the above orders? If so, what are the reasons for cancelling the order issued previously?"

MR. SPEAKER:—"Such a long question consisting of branches, does it savour as a supplementary question?"

THE HON. SRI V. I. MUNISWAMI PILLAI:—"Enough yielding trees were not available in the area meant for tapping for Madras and the belt shops; so the rule had to be amended a bit, and they were allowed to tap trees in the belt area with condition not to exceed the maximum number of trees originally fixed."

Renting of the Madras City toddy shops on lease by auction instead of by tender.

*464 *Q.*—SRI V. M. RAMASWAMI MUDALIYAR: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether it is a fact that this year tenders were called for in the first instance and that owing to a combine by the city renters the Government decided to auction the leases;

(*b*) what the amount offered in the original tender was and what the amount secured by public auction shopwar was;

(*c*) how the Government finally leased the shops and why there was a last minute change in the usual procedure; and

(*d*) what the amount secured finally for the lease of toddy shops was?

THE HON. SRI C. RAJAGOPALACHARIAR:—"(*a*) & (*c*) It is presumed that the hon. Member refers to the lease of toddy shops in the Madras City and the adjoining belt area. It was originally proposed to dispose of the shops by tender to the Madras renters as in the previous year but as the tenders offered were inadequate, it was decided to hold an auction for the disposal of the shops. As the bids at the auction were not satisfactory and as there were no bids for several of the shops, the shops were finally leased on enhanced tenders to the City renters in order to protect the best interests of the Provincial Exchequer as well as those of the local labouring population.

"(*b*) A statement [a] is laid on the table.

"(*d*) The tenders which were finally accepted amounted to Rs. 5,20,872 for all the Madras shops and Rs. 1,20,000 for the shops in the belt area of the Saidapet taluk."

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[a] Printed as Appendix I on pages 770—771 infra.

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Absorption of the Excise Sub-Inspectors thrown out of employment in Chittoor and Cuddapah districts in other departments of Government.

* 465 *Q.*—K. ABDUR RAHMAN KHAN SAHIB BAHADUR: *Will the Hon. the Prime Minister be pleased to state—*

(*a*) the number of Excise Sub-Inspectors thrown out of employment as a result of the introduction of prohibition in Chittoor and Cuddapah districts;

(*b*) whether any of these discharged Sub-Inspectors have been absorbed by the Government in other departments; and

(*c*) if the answer to (*b*) is in the affirmative, the number so absorbed?

THE HON. SRI C. RAJAGOPALACHARIAR:—" (*a*), (*b*) & (*c*) A report has been called for. For the measures taken by Government to absorb the Excise Sub-Inspectors discharged as a result of prohibition, the attention of the hon. Member is invited to the answer to unstarred question No. 148."

SRI G. KRISHNA RAO:—" May I ask whether it would not be possible for Government to absorb these Excise Sub-Inspectors in the Police department stopping further recruitment in that department till these hands are absorbed? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" It is not possible."

SRI D. V. RAMASWAMI:—" May I know whether Government have received representations from Excise Sub-Inspectors who have been thrown out of employment? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" That question has already been asked and it has been answered."

SRI D. V. RAMASWAMI:—" May I ask whether the majority of those surplus Excise Sub-Inspectors who have been thrown out of employment belong to the Waltair Circle? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" May I ask whether the supplementary question refers to the introduction of prohibition in Chittoor and Cuddapah districts? "

MR. SPEAKER:—" It is by way of re-examination." (Laughter.)

Reply, if any, received by the Provincial Government to the resolution passed by the Madras Legislature in regard to the question of Federation.

* 466 *Q.*—K. ABDUR RAHMAN KHAN SAHIB BAHADUR: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether the Government of Madras have communicated to the Government of India and His Majesty's Government in

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England the resolution passed by the Madras Legislature opposing the introduction of Federation as adumbrated in the Government of India Act;

(b) whether the Government of Madras have received any reply either from the Government of India or His Majesty's Government; and

(c) if the answer to (b) is in the affirmative, what that reply is?

THE HON. SRI C. RAJAGOPALACHARIAR :—" (a) & (b) The answer is in the affirmative.

" (c) The Government have received a reply from the Government of India that they have forwarded the resolution to the Secretary of State for India."

H. S. HUSSAIN SAHIB BAHADUR :—" May I know, Sir, whether there was any talk about Federation between the Ministers and the Under Secretary of State for India, when the latter visited Madras the other day? " (Laughter.)

THE HON. SRI C. RAJAGOPALACHARIAR :—" It is not a question that I can answer."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR :—" May I know whether the Government have received any reply from His Majesty's Government in regard to the communication they have sent about Federation? "

THE HON. SRI C. RAJAGOPALACHARIAR :—" No, Sir."

Representation for the grant of full remissions to certain ryots of Mandasa and Jalantra estates for failure of crops.

* 467 Q.—SRI P. SYAMASUNDARA RAO: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether it is a fact that in the North Vizagapatam district there has been no transplantation in several areas due to the failure of early monsoon and that where there was late transplantation there was much loss of crop;

(b) whether any representations were received by Government from the ryots of Mandasa and Jalantra estates, now under the Court of Wards, praying for full remissions in the case of lands where there was no transplantation and where there was great loss or damage of crops; and

(c) whether the Government propose to grant them remissions?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam :—" (a) The Government have no information. There is no mention of this in the latest season reports for the district.

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"(b) Various petitions, some requesting remission among other things, have been received and have been transferred to the Court of Wards for disposal.

"(c) The grant of remission is a matter for the local officers and the Court of Wards."

Grant of relief to the ryots, affected by floods and cyclone, in Chicacole, Patapatnam and Ichapur taluks.

* 468 *Q.*—SRI P. SYAMASUNDARA RAO: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether the Government are aware of the heavy damage done to the crops and property in Chicacole, Patapatnam and Ichapur taluks due to unprecedented floods and severe cyclone; if so, whether any detailed report has been received by the Government in the matter; and

(b) whether the Government have come to definite conclusions as to the measures of relief to be granted to the ryots in these taluks, and, if so, what they are?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—"(a) The answer is in the affirmative. Detailed reports have been received.

"(b) The Government found that it would be necessary to provide building materials and fodder in the affected localities and have accordingly made arrangements with the Railway Companies concerned for the transport, at concessional rates, of such goods to the affected areas. They have also sanctioned the employment of special staff for the performance of work connected with the relief operations and have provided a sum of Rs. 5,000 for the relief of distress. The Collector is affording all the relief possible and arrangements have also been made to repair the damage caused to irrigation and other works."

Disposal of the tank-bed lands of the Periakulam tank in Vayali village, Sankarankoil taluk.

* 469 *Q.*—SRI P. CHINNAMUTHU: Will the Hon. the Minister for Revenue be pleased to state with reference to the tank-bed lands of the ruined "Periakulam" tank in Vayali village, Sankarankoil taluk, Tinnevelly district—

(a) the total area of tank-bed lands;

(b) the total area of land assigned on conditional patta;

(c) the total area of land assigned absolutely on dharkast, etc.; and

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(*d*) the area of land remaining as poramboke at the disposal of the State?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—" (*a*) *to* (*d*) The Government have no information but have called for a report."

Suspension of village officers in the Revenue Division, Ariyalur.

* 470 *Q.*—SRI B. VENKATACHALAM PILLAI: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) in how many cases the village officers were suspended in Ariyalur Revenue Division within the last one year;

(*b*) in how many cases these suspensions were for a definite period; in how many such cases these suspensions were for an indefinite period;

(*c*) whether such things are permissible under any rules of Government; and

(*d*) in how many such cases substitutes were appointed; in how many such cases substitutes were not appointed, and for what reasons?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—" (*a*) *to* (*d*) The Government have no information but have called for a report."

Grant, by the Board of Revenue, of a sum of Rs. 433 *as remission to the lessee of Bellupada fishery (Ichapuram taluk, Vizagapatam district), for the year* 1937–38.

* 471 *Q.*—SRI P. SYAMASUNDARA RAO: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether the Revenue Board is empowered to grant remissions under land-cess, fishery rentals, etc., due to a local board and allocated as such in section 115 and Schedule V of the Local Boards Act, 1930; and

(*b*) the circumstances under which an amount of Rs. 433 was granted as remission to the lessee of Bellupada fishery (Ichapuram taluk, Vizagapatam district), for the year 1937–38?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—" (*a*) The answer is in the negative.

" (*b*), The remission referred to was granted by the Government as the amount for which the lease had been sold was abnormally high and as low water in the swamp was reported to have affected the fishing adversely and caused hardship to the fishermen who had taken the lease."

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Measures for ensuring adequate supply of water from the Nattar to the Palayur village during the morai days.

* 472 *Q.*—Sri P. R. K. SARMA: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether it is a fact that, as stated at page 119 of Volume II of the Report of the Cauvery Committee on irrigation and drainage in the Cauvery Delta, the village of Palayur does not get the necessary supply from the Nattar even during the $1\frac{1}{2}$ morai days; and

(*b*) whether any action has been taken to remedy the situation, and if so, what and when?

The Hon. Mr. YAKUB HASAN:—" (*a*) The Nattar has been remodelled and supply in the river and to Palayur village is adequate.

" (*b*) In view of the answer to clause (*a*) above the question does not arise."

Extension of the ayacut of the Nattar by transfer of a portion of the lands from the ayacut of the Nandalar.

* 473 *Q.*—Sri P. R. K. SARMA: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether it is a fact that " a portion of the lands " *referred to at page 119 of Volume II of the Report of the Cauvery* Committee on Irrigation and Drainage in the Cauvery Delta, as getting water from Nattar instead of from the Nandalar as before, is still being supplied by the Nattar;

(*b*) whether it is a fact that the ryots under the Natta-suffer in consequence; and

(*c*) if so, whether steps will be taken to classify the said portion of lands under the Nandalar itself?

The Hon. Mr. YAKUB HASAN:—" (*a*) Conditions in the Cauvery delta have altered since the introduction of the Cauvery-Mettur Project and it is not possible to furnish the information in the absence of particulars as to the villages in which the lands referred to lie.

" (*b*) All the sluices in the Nattar have been remodelled and there is no insufficiency of supply to the lands under it. The ryots are having a steady, continuous and ample supply.

" (*c*) In view of the answer to clause (*b*) above the question does not arise."

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Proposals for the construction of a reservoir at Pundi in Tiruvallur taluk, Chingleput district.

* 474 *Q.*—Sri D. RAMALINGA REDDIYAR: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether the Government have received any requests to construct a reservoir at Pundi across the River Koratalayar, Tiruvallur taluk, Chingleput district; and

(*b*) what steps have so far been taken in furtherance of the said project?

The Hon. Mr. YAKUB HASAN:—" (*a*) The answer is in the affirmative.

" (*b*) The Chief Engineer (Irrigation) has been requested to examine the proposal and submit a report. His report is awaited."

Alleged erosion of the Pedapatnam village in East Godavari.

* 475 *Q.*—Sri KALA VENKATA RAO: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether it is a fact that the Hon. the Minister for Public Works received a petition from the village of Pedapatnam in East Godavari that the village is being rapidly eroded by the river and forwarded the same to the Revenue Department; and

(*b*) what action the Government have taken or propose to take in the matter?

The Hon. Mr. YAKUB HASAN:—" (*a*) The answer is in the affirmative.

" (*b*) The question has been referred to the Chief Engineer for Irrigation for report which is awaited."

Sri KALA VENKATA RAO:—" May I know, Sir, whether any steps will be taken before the next floods? "

The Hon. Mr. YAKUB HASAN:—" As soon as the report is received, Government will consider it and the question of taking steps will also be considered then."

Proposals for the formation of a Statutory Board of Electricity.

* 476 *Q.*—Sri D. RAMALINGA REDDIYAR: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether it is a fact that the Chief Engineer has for some years been submitting proposals for the formation of a Statutory Electricity Board; and

(*b*) if so, why the Government have not accepted the proposals?

The Hon. Mr. YAKUB HASAN:—" (*a*) The answer is in the affirmative.

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"(b) In 1935 the Government constituted a Committee to consider and report *inter alia* whether the constitution of a Statutory Board to take over the control and administration of electric supply in this Presidency was desirable or necessary. The Committee after obtaining the evidence of the several interests concerned recommended that the creation of a Statutory Board was not necessary at present and that the possibility of such a Board being formed at some future date should be kept in mind. The Government accepted the recommendation of the Committee."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I know, Sir, whether there is any possibility of such a Board being formed in the near future?"

THE HON. MR. YAKUB HASAN:—"The present Government do not think such a Board is necessary."

Introduction of vernaculars as the medium of instruction in schools.

* 477 Q.—MAHBOOB ALI BAIG SAHIB BAHADUR: Will the Hon. the Minister for Eduaction and Legal Departments be pleased to state—

(a) whether the Government have passed orders introducing vernacular as the medium of instruction in all classes up to S.S.L.C. class from this year;

(b) what arrangement the Government have made to give instruction in Urdu in the case of pupils whose mother tongue is Urdu and who have been instructed up till now either in Urdu or in English;

(c) whether the Government have consulted the Muslim public before the introduction of the system of vernacularization;

(d) whether the Government are aware that in some high schools both under the Government as well as local bodies, there are Urdu sections up to third form in which the medium of instruction is Urdu;

(e) what orders the Government have passed in respect of Muslim pupils whose medium of instruction is Urdu up to the third form; and

(f) whether the Government have passed any separate orders in the case of Europeans and Anglo-Indians whose mother tongue is English?

THE HON. DR. P. SUBBARAYAN:—"(a) The hon. Member is referred to the communiqué of 5th March 1938 (G.O. No. 562, Education, dated 5th March 1938) copy[a] of which is placed on the table.

[a] Printed as Appendix II on page 772 infra.

"(*b*) The intention is as far as possible to save boys of tender years from going through the torture of instruction through a foreign language, and to substitute for English as a medium of instruction for boys from 12 to 15 years of age whose mother tongue is not English, the spoken language of the area in which the school is situated.

"When a few of the students speak Urdu at home, such boys should not find it more difficult to follow teaching in the language of the area in which they have lived and must continue to live than instruction imparted in English.

"(*c*) The agitation for doing away with a foreign language as medium of instruction for boys of tender age is of long standing and the reform was long overdue, and no fresh consultation on communal lines was thought necessary.

"(*d*) & (*e*) In some high schools there are Urdu sections up to the III form. Where the teaching is now in Urdu, nothing is done to upset it.

"Whenever the strength of Urdu-speaking pupils warrants it, the opening of parallel sections for IV form and above with teaching in Urdu is permitted. Pupils whose mother tongue is Urdu are permitted to answer at examinations in English.

"(*f*) No separate orders have been passed. The teaching in European and Anglo-Indian schools will continue to be through the medium of English."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I know, Sir, where a district board-managed high school cannot afford to open parallel sections for IV Form and above classes for imparting education in Urdu, whether Government will finance them in that behalf?"

THE HON. DR. P. SUBBARAYAN:—"I will consider the hon. Member's suggestion if he puts down a separate question."

Non-admission of Hindus and Muslims in the Government Muhammadan College, Madras, and the Pachiyappa's College, Madras, respectively.

* 478 *Q.*—K. ABDUR RAHMAN KHAN SAHIB BAHADUR: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether it is a fact that Hindus and Muslims are not admitted into the Government Muhammadan College, Madras, and Pachiyappa's College, Madras, respectively; and

(*b*) if the answer to (*a*) be in the negative, the number of Hindus and Muslims studying in those colleges, respectively?

THE HON. DR. P. SUBBARAYAN :—" (a) & (b) In the Government Muhammadan College, non-Muslim students are admitted up to 25 per cent of the total strength of the College. In the current year seven Hindu students have been admitted.

"The Government understand that the Pachaiyappa's Trust Board is taking legal opinion as to whether according to the terms of the foundation, the College can be thrown open to members of all communities."

K. ABDUR RAHMAN KHAN SAHIB BAHADUR :—" May I know, Sir, whether Muslim students cannot be admitted into the College?"

THE HON. DR. P. SUBBARAYAN :—" I am sure if the hon. Member had followed the answer he would have found that the answer is in the negative; because the Pachaiyappa's Trust is controlled by the terms of the foundation, and the Board are now seeking legal opinion on the point whether they will be able to admit all kinds of students into the institution."

Opening of additional centres for the S.S.L.C. public examination, 1939.

* 479 Q.—SRI D. RAMALINGA REDDIYAR: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether the Government have ordered any increase in the number of centres for the S.S.L.C. public examination for 1939; and

(b) if not, whether the Government will consider the desirability of increasing the number of such examination centres?

THE HON. DR. P. SUBBARAYAN :—" (a) & (b) Orders have been issued approving an increase in the number of centres for the examination in question."

Measures for filling up the tank in the Government Hobart Secondary and Training School, Royapetta.

* 480 Q.—MRS. KHADIJA YAKUB HASAN: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether the Government have taken any steps to fill up the tank in the Government Hobart Secondary and Training School, Madras; and

(b) if the answer is in the negative, whether the Government will be pleased to take early steps to have it filled up?

THE HON. DR. P. SUBBARAYAN :—" (a) & (b) The question is under consideration."

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Proposals of the Malabar District Board for the abolition of all communal schools under their management.

* 481 *Q.*—H. S. HUSSAIN SAHIB BAHADUR (on behalf of Khan Bahadur P. M. Attakoya Thangal Sahib Bahadur): Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether the resolution of the Malabar District Board to abolish all communal schools under a ten-year plan has been brought to the notice of the Government;

(*b*) whether the Government are aware of the general complaint among the Muslims in connexion with the abolition of communal schools; and

(*c*) what steps the Government propose to take to protect the interests of Muslims in view of the above general feeling amongst them?

THE HON. DR. P. SUBBARAYAN:—" (*a*), (*b*) & (*c*) So far as the Government are aware, there is no general move on the part of the District Board, Malabar, to abolish special schools for Mappillas."

Proposal to give L.M.Ps. in charge of rural dispensaries Sanitary Inspector's training.

* 482 *Q.*—SRI V. VENKATASUBBAYYA: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) whether there is a proposal to give Sanitary Inspector's training to L.M.Ps. in charge of rural dispensaries;

(*b*) whether such training makes them eligible for appointment as Health Officers;

(*c*) whether L.I.Ms. are excluded from this course; and

(*d*) if so, why?

THE HON. DR. T. S. S. RAJAN:—" (*a*) Government have approved a scheme for giving practitioners in charge of rural dispensaries of western medicine subsidized by Government a special course of training for a month, in the theory and practice of ' public health ' so that they may be entrusted with public health work in rural areas.

" (*b*) The answer is in the negative.

" (*c*) & (*d*) L.I.Ms. have not been included in the scheme; the question of including them is under consideration separately."

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Representations to the Indian Medical Council for recognition of the degrees of those passing out of the Vizagapatam Medical College.

* 483 *Q.*—SRI G. KRISHNA RAO: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) whether subsequent to 19th August 1938, any representations were made by the Government to the Indian Medical Council for consideration at its meeting held on or about the 24th October 1938, regarding the recognition of the degrees of the Vizagapatam Medical College; and

(*b*) if so, what reply the Government have received from the Council?

THE HON. DR. T. S. S. RAJAN:—" (*a*) The answer is in the affirmative.

" (*b*) The Secretary, Medical Council of India, has informed that at their meeting held on 24th October 1938, the Medical Council of India accepted the following recommendation of the Executive Committee:—

'That the Executive Committee have noted with satisfaction the reports of improvements which have been effected towards placing the buildings and other teaching facilities of the College on a sufficient basis and recommend to the Council that a further inspection of the Andhra University be undertaken in November–December 1938.'

" The Secretary, Medical Council of India, has requested the Registrar, Andhra University, to intimate expeditiously, the dates on which the proposed inspections may be carried out."

Constitution and personnel of the Central Board of Indian Medicine.

* 484 *Q.*—SRI M. DORAIKANNU: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) when the Central Board of Indian Medicine was constituted;

(*b*) the total number of members in the said board;

(*c*) the general medical qualifications of the present members; and

(*d*) the allowance drawn by them in a year?

THE HON. DR. T. S. S. RAJAN:—" (*a*) The Central Board of Indian Medicine was first constituted in January 1932. It was reconstituted in May 1937.

" (*b*) The total number of members of the Board, excluding the Principal, Indian Medical School, who is the ex-officio president, is 18.

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"(c) The members are reputed practitioners of Indian Medicine representing different interests and territorial divisions of the presidency.

"(d) The travelling allowance drawn by the mufassal members of the Board in 1937–38 was Rs. 805–6–0. No allowance is paid to members who are residents of the City."

Proposal for the inspection of ayurvedic dispensaries by District Medical Officers.

* 485 Q.—Sri KONDA VENKATAPPAYYA: Will the Hon. the Minister for Public Health be pleased to state whether the inspection of ayurvedic dispensaries is proposed to be transferred to the District Medical Officers, abolishing the present arrangement of inspection by the Ayurvedic Inspecting Medical Officers; if so, the grounds for such transfer?

The Hon. Dr. T. S. S. RAJAN:—" The Government have entrusted the work of inspecting institutions of Indian medicine maintained by local bodies to District Medical Officers, because they consider that independent supervision by District Medical Officers will be more effective than the inspection by the Inspecting Medical Officers who have not got much administrative experience. The supervision by District Medical Officers is intended mainly to ensure that these institutions are maintained in proper working order. In matters relating to the practice of the indigenous systems of medicine, the local bodies may make a reference to the Principal, Indian Medical School, whenever necessary."

Sri KONDA VENKATAPPAYYA:—" May I know whether the District Medical Officer is competent enough to inspect these institutions when he has no knowledge of Ayurveda? "

The Hon. Dr. T. S. S. RAJAN:—" The inspection work of the District Medical Officer will be confined to the administration portion such as inspection of the attendance register, inspection of the medicine in stock and the general management of the institution; while the technical work regarding Ayurveda will be referred to the Principal, Indian School of Medicine."

ABDUL HAMEED KHAN SAHIB Bahadur:—" In view of the large number of Ayurvedic dispensaries in the province, will it be possible for the Principal, Indian School of Medicine, to find time to inspect all of them properly? "

The Hon. Dr. T. S. S. RAJAN:—" If the Principal, Indian School of Medicine, does not find time for inspection and if Government receive complaints to that effect, suitable arrangements will be made."

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Objections of the Collector of Malabar to the scheme of protected water-supply in rural areas adumbrated by the Malabar District Board.

* 486 *Q.*—Sri R. RAGHAVA MENON: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) whether it is a fact that the Malabar District Board sent in proposals for supply of drinking water in areas suffering from want of it by digging wells under a ten-year scheme in consultation with the Health department of the district board and that they were approved by the Director of Public Health;

(*b*) whether it is a fact that the Collector of Malabar reported against the proposals;

(*c*) what the action taken by the Government on the report of the Collector was;

(*d*) whether the Government intend to give effect to the scheme approved by the Director of Public Health;

(*e*) whether the Government intend spending the amount of Rs. 20,000 given to Malabar for protected water-supply within this year;

(*f*) whether the Collector of Malabar has sent in any report for utilizing this amount; if not, why he has failed to do so;

(*g*) what the special reason, if any, is for entrusting the village water-supply scheme to Collectors; and

(*h*) the reason why this work is not entrusted to district boards and their Health department?

THE HON. DR. T. S. S. RAJAN:—" (*a*) *to* (*d*) In accordance with the instructions of Government that District Health Officers should prepare comprehensive schemes for a ten-year programme of rural water-supply and get them approved by Collectors, the District Health Officer, Malabar (not the District Board) prepared a programme for the district. The Collector did not approve this programme. He considered that in view of the peculiar conditions of the district further investigation and experiment were necessary before a useful programme could be prepared. The Government have, therefore, allowed the Collector some time to have the programme prepared.

" (*e*) & (*f*) The Collector has been informed that a beginning should be made in the current year and the allotment of Rs. 20,000 utilized as far as possible.

" (*g*) & (*h*) As the scheme is financed entirely from Provincial funds, Collectors have been made responsible for spending the allotments."

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SRI G. KRISHNAMURTI :—" May I know whether the ten-year programme of water-supply applies only to the Malabar district, or to all the districts? "

THE HON. DR. T. S. S. RAJAN :—" It applies to all the districts in the province."

SRI E. KANNAN :—" May I know, Sir, whether the Collector of Malabar has taken steps subsequently to get the estimates prepared and sanction obtained? "

THE HON. DR. T. S. S. RAJAN :—" I expect he has done so; we have no information beyond what I have mentioned in the answer."

SRI G. KRISHNAMURTI :—" May I know what the ultimate cost will be for having such a well? "

THE HON. DR. T. S. S. RAJAN :—" That is an engineering question; still I can give the hon. Member this information: the cost of a well depends upon the soil through which the well has to be got sunk, and the estimate varies according to the nature of the soil."

SRI G. KRISHNAMURTI :—" May I know what is the additional cost that will have to be incurred in order to have a protected well? "

THE HON. DR. T. S. S. RAJAN :—" It all depends upon what sort of protected water-supply you wish to have; it may be in the nature of an overhead tank, or in the nature of a mere tap, or in the nature of being worked by machine; and the estimated cost will vary with each kind."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR.—" May I know whether Government will allow a part of the money allotted for rural water-supply for South Kanara and Malabar districts to be utilized for maternity and child-welfare work and for appointing more women vaccinators in Malabar and South Kanara as the problem of water-supply in these districts is not so acute as in the other districts? "

THE HON. DR. T. S. S. RAJAN :—" The water-supply fund has entirely to be devoted only for water-supply, and it cannot be diverted to any other purpose."

Disposal of the fish canned at Chaliyam.

* 487 *Q.*—SRI K. V. R. SWAMI: *Will the Hon. the Minister* for Agriculture and Rural Development be pleased to state—

(*a*) what is done with the fish canned at the private cannery at Chaliyam; and

(*b*) whether the Government propose to encourage this industry?

THE HON. SRI V. I. MUNISWAMI PILLAI:—" (*a*) The cannery at Chaliyam was opened on 1st November 1935. The sardines canned in 1936 were distributed as free samples. No canning was done in 1937 and 1938 for want of sardines.

" (*b*) Yes; the industry is eligible for assistance under the provisions of the Madras State Aid to Industries Act."

Working of the forest timber depot and saw-mill at Chaliyam.

* 488 *Q.*—KHAN BAHADUR P. M. ATTAKOYA THANGAL SAHIB BAHADUR: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) what the total amount realized by the sale of timber from the forest depot at Chaliyam during the years 1936, 1937 and 1938 is;

(*b*) whether there is a sawing mill in the depot and if so, whether it is now working and how much it has cost; and

(*c*) whether the Government Forest Department sell sawn timber to railway and such other concerns?

THE HON. SRI V. I. MUNISWAMI PILLAI:—

		RS.
" (*a*)	1935–36	2,25,465
	1936–37	2,96,482
	1937–38	2,40,402

" (*b*) The answer is in the negative.

" (*c*) Yes; in the form of sleepers to the railway companies only."

Supply of a stud bull for Conjeeveram.

* 489 *Q.*—SRI P. S. SRINIVASA AYYAR: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) whether the Government are aware that the stud bull which was being maintained by the Veterinary Hospital, Conjeeveram, for a long time, was taken away from that place about two years back, and if so, the reason for the same;

(*b*) whether the Government have received any representations that the people of Conjeeveram are put to great hardship for want of a good stud bull in the city; and

(*c*) what steps the Government have taken in the matter?

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THE HON. SRI V. I. MUNISWAMI PILLAI:—" (a) The stud bull maintained at the Veterinary Hospital, Conjeeveram, was withdrawn as it was found unsuitable for breeding purposes.

" (b) No such representations have been received.

" (c) Arrangements are being made for stationing a good breeding bull at the Veterinary Hospital."

Financial aid to the smaller textile mills recently started at Coimbatore.

* 490 Q.—SRI G. KRISHNA RAO: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether the Government have received any representations that owing to the labour troubles for the past seven or eight months at Coimbatore, some of the smaller textile mills recently started have suffered a serious set back;

(b) whether the Government will help them by lending sufficient money on the security of these mills at a low rate of interest to be repaid to Government on the basis of equated payments spread over a number of years; and

(c) whether as a temporary measure the Government will exempt such mills from the obligation of paying higher wages till they find themselves well-established to meet this additional expense?

THE HON. SRI V. V. GIRI:—" (a) Tbe answer is in the affirmative.

" (b) The Government are precluded from granting aid or assistance to any industry except village industry except in accordance with the provisions of the State Aid to Industries Act, 1923 and the rules made under the Act.

" (c) No, Sir."

SRI P. R. K. SARMA:—" May I know, Sir, what are the Mills that have complained to the Government of difficulties on account of the industrial troubles in Coimbatore? "

THE HON. SRI V. V. GIRI:—" Notice."

SRI P. R. K. SARMA:—" May I know, Sir, whether in view of the complaints from the mill-owners Government will consider the desirability of setting up immediately suitable statutory machinery at least in that part of the country for prompt and effective settlement of disputes as they arise? "

THE HON. SRI V. V. GIRI:—" I do not think it is necessary at present."

SRI G. KRISHNAMURTI:—" May I know, Sir, whether the Government will bring labour legislation to avoid such troubles? "

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THE HON. SRI V. V. GIRI:—"That matter is being considered."

AN HON. MEMBER:—"May I know whether these mills have implemented the recommendations of the Court of enquiry with regard to the standard wages?"

THE HON. SRI V. V. GIRI:—"That matter is being looked into."

Measures to combat the problem of the educated unemployed.

*491 *Q.*—SRI GRANDHI VENKATA REDDI: Will the Hon. the Minister for Industries and Labour be pleased to state whether the Government have taken any and what steps to solve the problem of the educated unemployed?

THE HON. SRI V. V. GIRI:—"The matter is under the consideration of Government."

SRI E. KANNAN:—"May I ask whether Government have in contemplation any scheme to solve the problem of the uneducated unemployed?"

THE HON. SRI V. V. GIRI:—"Yes, Sir."

Scheme, if any, to absorb the educated unemployed in the Province.

*492 *Q.*—SRI P. MADHAVAN: Will the Hon. the Minister for Industries and Labour be pleased to state—

(*a*) how many unemployed graduates there are in the Presidency;

(*b*) whether the Government have on hand any scheme to absorb the educated unemployed; and

(*c*) if so, when the scheme is going to be worked?

THE HON. SRI V. V. GIRI:—"(*a*) The Government have no information.

"(*b*) & (*c*) The matter is under the consideration of Government."

Appointment of a Woman Factory Inspector.

*493 *Q.*—ABDUL HAMEED KHAN SAHIB BAHADUR: Will the Hon. the Minister for Industries and Labour be pleased to state whether the question of appointing a Woman Factory Inspector is under consideration?

THE HON. SRI V. V. GIRI:—"The question of appointing honorary Women Factory Inspectors is under the consideration of Government."

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SRI P. R. K. SARMA:—" May I know, Sir, whether there is any proposal before the Government to appoint Members of this House as honorary inspectors of factories, especially members coming from the Labour constituencies?"

THE HON. SRI V. V. GIRI:—" The matter has got to be decided."

Proposals for the levy of a protective tariff on imported copra.

* 494 *Q.*—SRI C. K. GOVINDAN NAYAR: Will the Hon. the Minister for Industries and Labour be pleased to state—

(*a*) whether the Government have referred the question of levying a protective tariff on imported copra to the Government of India; and

(*b*) if so, what the reply of the Imperial Government is?

THE HON. SRI V. V. GIRI:—" (*a*) The answer is in the affirmative.

" (*b*) The matter is still under the consideration of the Government of India."

AN HON. MEMBER:—" Not audible."

THE HON. SRI V. V. GIRI:—" I take, Sir, the information."

ANOTHER HON. MEMBER:—" May I ask the Government whether they are aware that the price of copra has gone up satisfactorily?"

THE HON. SRI V.V. GIRI:—" I take the information from the Hon. Member."

Measures for the manufacture of clothing and bedding required for jails.

* 495 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Administration Reports and Public Information be pleased to state—

(*a*) whether all the cloth and bedding required for jails were manufactured in jails themselves last year;

(*b*) if not, what proportion of them was purchased; and

(*c*) whether arrangements will be made hereafter to have the whole requirements under this head manufactured in jails?

THE HON. SRI S. RAMANATHAN:—" (*a*) & (*b*) All cloth and bedding required for the jails last year was manufactured in the jails themselves, except ·22 per cent of the requirements, which were purchased.

" (*c*) The articles purchased were flannel, socks, and certain other miscellaneous items which it is not practicable to manufacture in jails."

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SRI P. R. K. SARMA :—" May I know, Sir, whether it is the policy of the Government to convert these jails into workshops and make them compete with the labour outside?"

THE HON. SRI S. RAMANATHAN :—" No, Sir."

Transfer of Sarishtadars of District Courts.

* 496 *Q.*—SRI B. VENKATACHALAM PILLAI : Will the Hon. the Minister for Administration Reports and Public Information be pleased to state—

(*a*) whether it is a fact that there is a Government Order empowering the High Court of Madras to transfer the Sarishtadar of a District Court every five years;

(*b*) in how many cases till this day, the Government Order was not given effect to; and

(*c*) in computing the abovesaid five years whether the Government are taking into consideration the prior service of the incumbent in the same district, though not as Sarishtadar?

THE HON. SRI S. RAMANATHAN :—" (*a*) The answer is in the negative. Under the Madras Judicial Subordinate Service Rules, the transfer of Sarishtadars is a matter within the discretion of the High Court.

" (*b*) & (*c*) In view of the answer to clause (*a*) the questions in these clauses do not arise."

Alleged severity of treatment to the anti-Hindi prisoners in jails.

* 497 *Q.*—SRI RAO BAHADUR M. C. RAJAH : Will the Hon. the Minister for Administration Reports and Public Information be pleased to state—

(*a*) whether it is a fact that the anti-Hindi prisoners are treated with more than ordinary severity in the prisons; and

(*b*) if the answer to the above is in the affirmative, whether the Government will make an enquiry into the matter and place the report on the table of the House or whether the Government will constitute a Committee of this House to enquire into the matter?

THE HON. SRI S. RAMANATHAN :—" (*a*) The answer is in the negative. If there is any difference, it is in favour of the prisoners.

" (*b*) The question does not arise."

ABDUL HAMEED KHAN SAHIB BAHADUR :—" May I know why this difference in favour of these prisoners is made? "

THE HON. SRI S. RAMANATHAN :—" These can be considered, Sir, as special cases."

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ABDUL HAMEED KHAN SAHIB BAHADUR:—"What is the special nature of these cases which necessitated the special treatment?"

THE HON. SRI S. RAMANATHAN:—"These prisoners are merely misguided."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I know, Sir, what opinion the Government have about the other prisoners? Are all of them guided properly?"

THE HON. SRI S. RAMANATHAN:—"Some of them might have been misguided. Every case has to be decided on its merits."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"May I know whether some of the respectable prisoners will be put in A class?"

THE HON. SRI S. RAMANATHAN:—"The classification depends upon the previous status of each prisoner besides other considerations."

Selection of Public Prosecutors and Government Pleaders on the panel system.

* 498 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Administration Reports and Public Information be pleased to state—

(*a*) whether the panel system of selecting Public Prosecutors and Government Pleaders has been abolished; and

(*b*) if so, what the reasons are?

THE HON. SRI S. RAMANATHAN:—"(*a*) The answer is in the affirmative.

"(*b*) The panel system was abolished because it was found that it did not work satisfactorily."

Re-organization of the establishment of official receivers.

* 499 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Administration Reports and Public Information be pleased to state—

(*a*) whether the report of the Committee for the re-organization of the establishment of official receivers in the mufassal has been considered by the Government; and

(*b*) if so, what the decisions are?

THE HON. SRI S. RAMANATHAN:—"(*a*) & (*b*) The matter is under examination."

SRI K. V. R. SWAMI:—"May I know if both are under examination for one year?"

THE HON. SRI S. RAMANATHAN:—"I cannot, say, Sir."

Appointment of a Special District Board Engineer for the Tiruvallam Bridge Works in North Arcot.

* 500 Q.—SRI B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether it is a fact that the Tiruvallam Bridge Works under the District Board, North Arcot, was at a standstill for nearly about two years from August 1936;

(b) if so, what the reasons therefor are;

(c) what the necessity is for the appointment of a Special District Board Engineer for the work;

(d) when he resumed charge of that work and what his pay is; and

(e) what the progress so far made is after his taking charge of the work?

THE HON. SRI B. GOPALA REDDI:—" (a) & (b) The contractors suspended work for some time owing to disagreements with the district board regarding the terms of the contract. Information is not available as to the exact period of stoppage.

" (c) It was considered that the District Board Engineer, North Arcot, could not devote sufficient attention to the work in addition to his other duties.

" (d) 26th January 1938; Rs. 400.

" (e) The masonry work in all the piers has been completed and the foundations of the right abutment are in progress. Girders have been erected in eleven out of the twelve spans and the whole work is expected to be completed by April next."

SRI B. BHAKTHAVATHSALU NAYUDU:—" Is it a fact, Sir, that the working estimates of the right abutment are being prepared by the contractors themselves at the cost of the district board? "

THE HON. SRI B. GOPALA REDDI:—" I do not think."

MR. J. NUTTALL:—" May I ask, Sir, whether it was a fact that the specification provided by the district board was incorrect, and that the original design for the foundations, etc., as specified in the contract, had to be revised, and that the contractor was asked to proceed with the work long after the expiry of the period of the contract? "

THE HON. SRI B. GOPALA REDDI:—" Yes, Sir."

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MR. J. NUTTALL:—" May I also ask, Sir, if there was delay in the preparation and supply of revised designs in spite of the fact that Public Works Department Engineers inspected the work periodically, and the Special Roads Engineer inspected the site on several occasions?"

THE HON. SRI B. GOPALA REDDI:—" Yes, Sir."

MR. J. NUTTALL:—" May I ask a further question, Sir, whether it is a fact that the district board staff has to supervise only the masonry portion of the work, and that there is a Government Inspector from the Indian Stores Department to supervise the steel work?"

THE HON. SRI B. GOPALA REDDI:—" I take the information from the hon. Member."

MR. J. NUTTALL:—" What is the total value of the masonry work, and how much was done before the Special District Board Engineer was appointed, and what amount of masonry work has been done after the Special District Board Engineer took charge?"

THE HON. SRI B. GOPALA REDDI:—" I should like to have notice."

MR. J. NUTTALL:—" One further question and I am done. Is it a fact that the contractors were asked to submit revised designs for the abutment in June 1938 and work proceeded thereafter on their design?"

THE HON. SRI B. GOPALA REDDI:—" Yes, Sir."

SRI D. RAMALINGA REDDIYAR:—" May I ask, Sir, whether the contractor has appointed an engineer who has been demanding a fat travelling allowance from the North Arcot District Board in connexion with the construction of the bridge?"

THE HON. SRI B. GOPALA REDDI:—" I am not aware of the information."

SRI D. RAMALINGA REDDIYAR:—" May I know, Sir, whether the Government will call for the information?"

THE HON. SRI B. GOPALA REDDI:—" We do not think it necessary."

SRI B. BHAKTHAVATHSALU NAYUDU:—" Is it a fact, Sir, that the contractor himself is supervising the work from his own establishment and the cost is being met from the district board funds?"

THE HON. SRI B. GOPALA REDDI:—" I am not aware."

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Surcharge against Rao Bahadur C. Sambasiva Chettiyar, ex-Chairman of the Conjeeveram Municipal Council.

*501 *Q.*—SRI P. S. SRINIVASA AYYAR: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) whether the proposed surcharge against Rao Bahadur C. Sambasiva Chettiyar, the ex-Chairman of the Municipal Council, Conjeeveram, in connexion with the improper remission granted to the toll-gate contractor in 1930–31 has been dropped, and if so, the reasons therefor;

(*b*) who was responsible for the loss to the municipality to the extent of nearly Rs. 4,000; and

(*c*) whether the Government propose to take any action on the Government auditors who were responsible for the inordinate delay in the proceedings?

THE HON. SRI B. GOPALA REDDI:—" (*a*) & (*b*) The matter is still under consideration.

" (*c*) The auditors are not responsible for inordinate delay in the matter."

Number and community of the panchayat officers and municipal commissioners appointed since July 1937.

*502 *Q.*—H. S. HUSSAIN SAHIB BAHADUR: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) how many district and assistant panchayat officers have been newly appointed since July 1937;

(*b*) to what communities they belong and what their qualifications are;

(*c*) how many commissioners of municipalities have been newly appointed since July 1937; and

(*d*) to what communities they belong and what their qualifications are?

THE HON. SRI B. GOPALA REDDI:—" (*a*) Two district panchayat officers were newly appointed after 1st July 1937. Their services have since been dispensed with for want of vacancies. Assistant panchayat officers are appointed by presidents of district boards and particnlars have been called for.

" (*b*) District panchayat officers—

(1) Sri V. Radhakrishnayya Nayudu, Non-Brahman Hindu, Holder of 'B.A.' and 'B.L.' degrees.

(2) Sri J. Mohan Rao, Adi-Andhra, Holder of a 'B.A.' degree.

No. (1) was appointed by the previous Ministry.

" (*c*) & (*d*) A statement [a] is appended."

[a] Printed as Appendix III on page 773 infra.

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Validity or otherwise of the election of the President, Panchayat Board, Kaveripakkam.

* 503 *Q.*—Sri B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) the date on which (1) the elections to the Panchayat Board, Kaveripakkam, North Arcot district, took place; (2) the election of the President for the above board was held by the temporary president;

(*b*) the name of the person who was declared elected as president;

(*c*) whether it is fact that the Postal authorities have withheld all the tapals and letters addressed to the President, Panchayat Board, Kaveripakkam;

(*d*) whether it is a fact that they have also refused to permit him to withdraw any amount from the Savings Bank Account;

(*e*) whether it is a fact that the president, panchayat board, reported the matter to the Inspector of Local Boards for his orders and if so, when;

(*f*) whether there is any suit or election petition pending in the civil court or before the Election Commissioner about the validity of the election of the President, Panchayat Board, Kaveripakkam;

(*g*) when the Inspector of Local Boards received the report of the District Panchayat Officer, North Arcot district, in this matter; and

(*h*) whether it is a fact that the Inspector of Local Boards has not passed any orders thereon so far?

The Hon. Sri B. GOPALA REDDI:—"(*a*) (1) 27th June 1938; (2) 15th July 1938.

"(*b*) Sri D. Devaraja Mudaliyar.

"(*c*) & (*d*) The answer is in the affirmative.

"(*e*) Yes. On the 26th September 1938 and on the 28th October 1938.

"(*f*) The Government have no information.

"(*g*) On the 28th October 1938.

"(*h*) The Government understand that the Inspector of Municipal Councils and Local Boards advised the temporary president on the 4th November 1938 to hand over charge to Sri D. Devaraja Mudaliyar."

Sri B. BHAKTHAVATHSALU NAYUDU:—"Why was there delay in issuing orders by the Inspector of Local Boards?"

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THE HON. SRI B. GOPALA REDDI:—" As I said the report was got from the District Panchayat Officer on the 28th October and he advised the president on the 4th November. There was no delay."

SRI B. BHAKTHAVATHSALU NAYUDU:—" Is it a fact that the sweepers and the scavengers struck work as their salaries were not paid for three or four months."

THE HON. SRI B. GOPALA REDDI:—" I have no information."

* 504 *Q.*—SRI P. SYAMASUNDARA RAO:—" I do not put the question."

[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—MOTION *RE* RULES UNDER SUB-SECTION (2) OF SECTION 74-A OF THE MADRAS LOCAL BOARDS ACT, 1920.

* THE HON. SRI B. GOPALA REDDI:—" Mr. Speaker, I move—

'*that the draft rules*[a] *proposed to be made by the Government of Madras under sub-section* (2) *of section* 74-*A of the Madras Local Boards Act*, 1920 (*Madras Act XIV of* 1920), *be approved.*'

" The rules are before the hon. Members and I need not read them because they extend over three or four pages. It has been a long-felt reform by which the Local Fund Assistant Engineers Service is now being proposed to be provincialized. The recommendation was first made by the Financial Relations Committee in 1919 that both the District Board Engineers and the Assistant Engineers Services be provincialized. Accordingly the District Board Engineers Service was provincialized in 1920. But it took nearly nineteen years, Sir, to provincialize the service of Assistant Engineers. The assistant engineers were appointed by the presidents of the district boards and they were not on a uniform scale of pay, etc., and many of them have been in the same district and in the same division for over twenty years. We thought it was not desirable to keep the assistant engineers for such a long time in the same division or district. Now we are taking powers to provincialize the Service and these are the draft rules that have to be approved by the House."

3-45 p.m. BASHEER AHMED SAYEED SAHIB BAHADUR:—" Mr. Speaker, I generally endorse all the remarks made by the Hon. Minister in regard to these rules. These rules should have been made and approved long ago. There has been agitation time and again that the entire municipal and local board engineering service should be provincialized.

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a Printed as Appendix IV on pages 774—782 infra.

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" Sir, I want to take this opportunity to move certain amendments. The first amendment that I have given notice of is a very minor one. I do not think there would be any controversy over it. I am seeking by means of it to use the word ' Muslim ' in the place of the word ' Muhammadan ' wherever it occurs. Sir, very often the word ' Muhammadan ' is used, though that is not the proper word to describe the followers of the religion of Islam. They are better described as ' Muslims.' I therefore move—

> *' that the word " Muslim " be substituted for the word " Muhammadan " wherever it occurs in these draft rules.' "*

ABDUL HAMEED KHAN SAHIB BAHADUR :—" Sir, I have great pleasure in seconding this amendment. I hope that this Government, as it claims to be a popular Government, will accept this amendment and satisfy the desire of my community in this matter. We thought, Sir, that as there has been agitation for a long time in favour of this change, the Government themselves would change the word ' Muhammadan ' into ' Muslim ' in all rules and other things. Now that we have got an opportunity to urge the need for this change, in the rules that have been placed before us, I hope the Government would not find it difficult to make the alteration. I would add, Sir, that this alteration might be made also in the various other rules and other things."

* THE HON. SRI C. RAJAGOPALACHARIAR :—" I might inform the hon. Members who have just spoken that wherever possible, even now, as far as it lies personally in my power, I have been altering the word ' Muhammadan ' into ' Muslim.' But all papers do no go to me, and I want the patience of hon. Members till everything is corrected. An actual Government Order is unnecessary for the purpose."

ABDUL HAMEED KHAN SAHIB BAHADUR :—" I wish to thank the Hon. Premier for what he has done."

* THE HON. SRI B. GOPALA REDDI :—" With great pleasure I accept the amendment, Sir."

The amendment that " in the rules wherever the word ' Muhammadan ' occurs, the word ' Muslim ' be substituted " was put and carried.

Rule 6.

BASHEER AHMED SAYEED SAHIB BAHADUR :—" Sir, I move the amendment that stands in my name which runs as follows :—

> *' That the following be added at the end :—*
>
> *" Provided that the qualifications specified in the Annexure to these rules shall not apply to the Assistant Engineers now serving under the district boards in any acting, officiating or probationary capacity." '*

This seeks to make good an omission that has been made by the Government in the draft rules. It is true, Sir, that provincialization has got its benefits and its advantages. It is indeed necessary that the Government should take power to transfer from one district or from one area to another, the assistant engineers, as they are now doing in the case of the district board engineers; it is also desirable that the same persons should not be confined to the same district till they retire. But there is one thing which also has to be kept in view, viz., that the assistant engineers who have been working in the same district for some time should not in any way be affected by the new rules. The qualifications prescribed, so far as they go, are certainly welcome, although they might be considered in some quarters to be too high. But we must see to it that persons who have already been employed by the district board authorities are not deprived of the chance of being taken into the regular line as officers therein. There are assistant engineers who have put in short periods of service. They may not all of them possess the qualifications that are prescribed in the annexure to these rules. All the same, a certain number of them may have proved themselves to be very efficient and capable men and might for other reasons also be eligible to become members of the service. Such cases have not been taken into consideration in framing these rules regarding qualifications. I therefore seek to make good that omission. These persons must be given a chance to prove their merit, and if they are good enough and competent enough to be taken into the regular service, it should be done. After all, Sir, it is unjust to condemn the whole lot of these acting, temporary, probationary or officiating assistant engineers as being unfit. It is true that under rule 9 of these rules the Government have taken power to appoint certain persons to be full members of the service, but that is not satisfactory even from the point of view of the framing of the rules. If you want to have rules, they must be made self-contained. They must give a sense of security to persons to whom these rules apply. It is with that view that I seek to introduce this amendment which says that the rules that are now being framed shall not necessarily affect those persons who are already in service and have acted as assistant engineers. This amendment of mine obviates the need for these men depending upon the whims and fancies of the men in authority over them, to be considered fit for the service. After all my amendment does not derogate from the powers of the Government. It does not also give any extra rights to these men. It only seeks to give these men a sense of security which will certainly make them better-fitted to hold these posts."

The amendment was duly seconded.

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* THE HON. SRI B. GOPALA REDDI:—" I am sorry, Sir, I cannot accept this amendment, because in several district boards many people without any qualifications and sometimes also lower subordinate people have acted as assistant engineers for a month or for fifteen days as emergencies arose. If this amendment is accepted, all of them, whether acting, officiating or probationary men, will have to be taken into the regular service. This will have the effect of throwing out qualified young men. I am sorry, therefore, I cannot accept this amendment. But I may give this assurance to the hon. Member that wherever persons with upper subordinate qualifications have acted for more than two years as assistant engineers, they will be taken as regular members of the service. I oppose this amendment."

The amendment was put and lost.

Rule 6, *sub-rule* (1), *clause* (*iii*).

BASHEER AHMED SAYEED SAHIB BAHADUR:—" Sir, my next amendment seeks to raise the age of a certain section of the candidates from 30 to 32. I move—

'Substitute *the following* for *clause* (*iii*) *of sub-rule* (1):—

" *when recruited direct has not attained the age of* 32, *if he is a Muslim and* 30 *if he belongs to any community other than Muslim;*".'

" The rule as proposed says that every one shall not have reached the age of 30 at the time of being appointed to the Service. The question of age has been the subject of discussion time and again so far as the Muslims and the Scheduled classes are concerned. Not only has it been the subject of discussion on the floor of this House, but it has also been the subject of deputations which waited on the Hon. Ministers and Executive Council Members in the past. The question of granting exemptions now and then to the members of the Muslim and other backward communities for the purpose of being appointed to certain posts has also been the subject of representations in the past. Sir, one reason why in certain branches of the Government service the Muslims are entirely absent seems to be the imposition of this age limit. If the age limit is lower it will be impossible for the Muslims to seek service in several cases. This is due to the fact that the education of Muslim boys is begun at an advanced age, comparatively speaking. Muslims, rightly or wrongly, waste their time or utilize their time—I cannot properly describe it—until they are 7 or 8 years old. The children of the other communities begin their education at 5 or 6.

" Sir, this makes a lot of difference. By the time they get themselves qualified to get any posts, they become 26, 27 or 28 4 p.m.

•

years of age; and if they enter any professional college, certainly they happen to be 33 and above by the time they take their degrees and they become disqualified to get these posts under the rules, because they have exceeded the age-limit. Even the Hon. Ministers are not unaware of this. There have been very many occasions when they had to be approached for exemption being granted to such candidates. It is therefore necessary that these Ministers should avoid the possibility of others waiting on them in deputation and also avoid all opportunities of bringing this matter before this House for discussion. I, therefore, suggest that, in order to avoid frequent deputations, interpellations and demi-official letters to the appointing authorities to get certain people exempted from this rule, the Government may accept this amendment and introduce a rule as is proposed in the amendment. Let it not be understood that I am not for applying the principle of communal representation. The previous Government and the present Government have not altered the principle of communal representation; and in so far as that principle is recognized, and if that communal rule is to be taken advantage of, and if members of the backward communities who are backward in education, are to get their proper representation in the services, it is necessary that the age-limit should be raised instead of keeping it so low as 30. That is why I seek to amend the rules by the insertion of the clause which stands in my name. Otherwise, the benefits which these rules seek to confer will not be available to the members of the Muslim and other backward communities; what is given by one hand, will be taken away by the other, for the simple reason that persons belonging to the backward communities who are below the age of 30 years will not be available and candidates belonging to other communities will get the chance. I want respectfully to suggest to the Government that they should not allow the possibility of what they seek to give by one hand being taken away by the other. I therefore move that my amendment may be accepted."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"I have great pleasure in seconding this amendment. I do not think it is necessary for me to apologise to anybody in order to place certain hard facts before the Government. It is a reality that the Government in the past have recognized, in the case of the backward communities, that certain concessions should be made to them in the matter of education; and they have rightly made provision in order to afford such facilities. Even in the matter of appointments, the Government in the past came forward with a Government Order by which a certain number of seats should be reserved for certain communities, and this Government have very rightly accepted those concessions as a very necessary and important. In regard to this particular matter of raising the age limit for the appointment of assistant engineers, I wish to make it

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clear that it is quite necessary. Apart from the arguments advanced by the hon. Mover of the amendment, I wish to point out to the Government that to-day they recognize this fact in regard to the Engineering College in the matter of admission of Muslim boys and boys belonging to the Scheduled Classes. There is a difference of two years in age between the boys belonging to the Muslim community and those belonging to other communities in the matter of admission into the Engineering College. Students belonging to the Muslim community, even though they are two years older than students belonging to other communities, are admitted. Therefore it will be seen that before the Muslim students complete their engineering course, they will be two years older than students belonging to other communities. My hon. Friend who moved the amendment thinks that this difference should be recognized even at the time of appointment. Therefore, there ought to be no difficulty for the Government to recognize this very necessary change. The difference already exists there. I therefore hope that the Government will kindly set right matters by accepting this amendment. This question has been before the Government for a long time and I understand that the Hon. Minister in charge of Public Works almost decided this matter and wanted exemption to be given. I do not know what happened to those papers. When the Government have gone so far, I do not think it will be difficult for them to recognize this difference of two years in the case of Muhammadans. Now an opportunity has arisen in the case of engineering students and I am sure the Government will set right matters by looking into the question."

MR. SPEAKER :—" Does the Hon. Minister reply? "

* THE HON. SRI B. GOPALA REDDI :—" There are other amendments and I wish to give a single reply to all of them."

* SRI B. BHAKTHAVATHSALU NAYUDU :—" I beg to move the amendment that stands in my name :—

> ' *That the following be substituted for clause (iii) of sub-rule* (1) :—
>
> " *when recruited direct has not attained the age of 32 if he is a Muslim or a person belonging to Scheduled Class and 30 if he belongs to any community other than Muslim or a person belonging to Scheduled Class;*".'

Sir, the previous speakers have explained the object of a similar amendment very clearly and I need not go into that question once again. My object in moving this amendment is that persons belonging to the Scheduled Classes are still backward in education and they are not up to the mark or to the level when they can be compared with the other communities. I think in several departments of the Government there is also a difference of

two years in age between persons belonging to the Scheduled classes and those belonging to other communities in the matter of appointments. I hope the Hon. Minister for Local Administration will kindly accept this amendment by adopting the same principle which is being adopted in other departments of the Government."

The amendment was duly seconded.

* SRI M. BHAKTAVATSALAM :—"Sir, I beg to move the amendment that stands in my name:—

'Add *to clause (iii) of sub-rule* (1):—

"*or such other age as may be notified by Government from time to time, either generally or for particular communities;*".'"

The amendment was duly seconded.

MR. SPEAKER :—"I will put the amendments to vote after the reply has been given to all these amendments by the Hon. Minister."

BASHEER AHMED SAYEED SAHIB BAHADUR :—"If the Hon. Minister is going to deal with all these amendments comprehensively, and give one reply, we will be deprived of the chance of speaking on the particular amendment which has been moved by Mr. Bhaktavatsalam Mudaliyar."

MR. SPEAKER :—"There may be no necessity for the hon. Member to speak after a statement has been made by the Hon. Minister."

* THE HON. SRI B. GOPALA REDDI :—"Will Mr. Basheer Ahmed Sayeed withdraw his amendment in favour of Mr. Bhaktavatsalu Nayudu's amendment as it is more comprehensive?"

BASHEER AHMED SAYEED SAHIB BAHADUR :—"Yes; I have no objection. I withdraw my amendment."

* THE HON. SRI B. GOPALA REDDI :—"Now I think there are only two amendments. I think Mr. Bhaktavatsalu Nayudu will withdraw his amendment in favour of Mr. Bhaktavatsalam Mudaliyar's amendment."

* SRI B. BHAKTHAVATHSALU NAYUDU :—"Yes, I withdraw my amendment."

MR. SPEAKER :—"The Government are evidently prepared to accept the amendment of the Parliamentary Secretary, Sri Bhaktavatsalam Mudaliyar. So no speech will be necessary on the part of the Hon. Minister . . ."

BASHEER AHMED SAYEED SAHIB BAHADUR :—"Sir, I wish to oppose the amendment moved by the Parliamentary Secretary. That is not what was wanted by us. The amendments moved by Mr. Bhaktavatsalu Nayudu and myself have sought

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to specify the age in the shape of rules that will inure for the benefit of the candidates who are now in service. Now when we are making rules, it is eminently desirable that things should be made definite and it is with that object that those amendments have been moved. Otherwise the rules will remain ineffective and the Ministers who will administer the particular department will act according to their discretion. Now everything will have to be put in black and white, when you want to fix the minimum age and when you want to say when exemption is to be claimed. Otherwise it will not serve any useful purpose to go back and say 'or such other age as may be notified by the Government from time to time, etc.' What is intended is that the candidates who are already in service should not depend upon the whims and fancies of particular officers. That is why it is proposed that a certain age-limit should be fixed by rules in the case of certain candidates. That object is not achieved by this amendment. The rules are intended to make things definite. But if such rules are not made and if it is left to the Government to do these things as and when occasions arise, they may not do such things. If that principle is accepted, everything may be left to the Government and no rules need be made, and no age-limit need be prescribed as either 30 or 31. As it is, this amendment will not serve the purpose of the minority communities which want to know definitely their position with regard to recruitment to this service. I therefore oppose this amendment."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" Sir, we have to make certain matters clear. Some of us thought that when those two amendments were withdrawn, the Government would meet our object by accepting the amendment of the Parliamentary Secretary and by incorporating therein the objects contained in the other two amendments. Now according to the amendment proposed by the Parliamentary Secretary, it appears that the Government want to retain some power in their hands with regard to this matter. If the amendments moved by my hon. Friends Messrs. Basheer Ahmed and Bhaktavatsalu Nayudu were accepted, it would tie the hands of the Government with regard to the Muslim and the Scheduled communities. But perhaps the Government feel that there are certain other cases which they also want to satisfy. With that object, the Government want to take power into their hands by introducing this amendment. I do not certainly stand in the way of the Government doing justice to the members of certain other communities in the matter of age by introducing the amendment which they have 4-1
proposed. I am sure the Government will not ignore the need, P
the special need of the minority communities, who are backward and in whose case some special treatment has to be given. I

have no objection to the Government taking the power sought by the amendment."

KHAN BAHADUR P. KHALIF-UL-LAH SAHIB BAHADUR:—"Sir, I should like to draw the attention of the Hon. Minister for Local Administration to the fact that on previous occasions. Muslim candidates have been shut out on account of the age-bar and their chances have been passed over for several years to come. It is not the fault of the candidates themselves; it is due to a fault in the rules of admission to the Engineering College. The rules prescribe that so far as Muslims are concerned, they shall be entitled to admission, even though they are two years over and above the age prescribed for candidates of other communities. Therefore, students belonging to my community enter the portals of the Engineering College mostly two years older than students of other communities. They have to undergo the usual course along with the other students; they have to undergo the same practical course along with the other students and they have to qualify themselves for selection to the services. If the age-limit for these communities is not correspondingly raised by two years at the time of recruitment also, it means the actual estoppel of these students; they will be completely shut out from being recruited. In order to get over this difficulty and in order to relieve them from their present suffering, my hon. Friends Messrs. Basheer Ahmed Sayeed and Bhaktavatsalu Nayudu have moved their amendments. Since these amendments have been withdrawn now, I can only appeal to the Hon. Minister to have this matter in view and give us an assurance that such wrongs would not continue any longer."

*THE HON. SRI B. GOPALA REDDI:—"I do not understand the opposition of Mr. Basheer Ahmed Sayeed to the present amendment. There is only one amendment before the House, that moved by Mr. Bhaktavatsalam Mudaliyar. What would happen if this amendment is opposed and is lost? The result will be that the original rules brought forward by the Government will stand and that all candidates including those of the Muslim and Scheduled class communities must be of the same age as others when they apply for appointment . . ."

BASHEER AHMED SAYEED SAHIB BAHADUR:—"On a point of personal explanation, Sir. If the present amendment is carried, we will be petitioning the Government, and if it is lost we should still be petitioning the Government."

*THE HON. SRI B. GOPALA REDDI:—"I think the hon. Member believes very much in petitioning. I think petitioning will not help him very much. I do not think it is advisable to fix the age-limit compulsorily and permanently. To-morrow it may be necessary that, in the case of Christians, the age-limit

should be increased to 31, 32 or even 33. There is no need to fix the age-limit permanently at 32; to-morrow this increased age-limit may not be necessary even for candidates of the Muslim community or of the Scheduled classes. I will have to come to the Assembly every time the age-limit is changed. Therefore it is better if the Government are given power to increase or decrease the age-limit as and when there is necessity. Suppose to-morrow a Muslim candidate aged 30 applies for a post and another Muslim candidate aged 32 years applies for the same post; I will be inclined to give preference to the candidate who is 30 years of age but not to the candidate aged 32 years. I am sure that in days to come, Muslim candidates will not be in need of this preferential treatment in the matter of age-limit; I expect Muslim children would not waste their time but utilize it for their best advantage before the age of 5; I expect Muslim young men to qualify themselves in time. For other appointments like the Indian Civil Service, Muslim candidates are not given any preferential treatment; they are expected to come up to the standard in time. I want them not to feel any inferiority complex; they should not have the defeatist mentality for all time to come. Any preferential treatment may be continued for some time; but for all time it is not permissible. It is not advantageous to the community. I therefore plead that the amendment moved by Mr. Bhaktavatsalam Mudaliyar should be accepted by the House."

MR. SPEAKER :—" The question is—

'*Add* to clause (iii) of sub-rule (1)—

" or such other age as may be notified by Government from time to time, either generally or for particular communities;".' "

The amendment was put and carried.

* THE HON. SRI B. GOPALA REDDI :—" Sir, I beg to move the following amendment :—

'*Draft rule* 17 *shall be renumbered as sub-rule* (1) *under draft rule* 17 *and the following shall be added as sub-rules* (2), (3) *and* (4) :—

" (2) *The prescribed authority may censure, or withhold increments from, any member of the Service for any breach of departmental rules or discipline or for carelessness, unfitness, neglect of duty or other misconduct. He may also suspend temporarily from duty members of the Service for any serious offence or misdemeanour pending a report of the case to, and the decision of, the Government thereon.*

" (3) *No member of the Service shall be removed or dismissed except by the Government.*

"(4) *An appeal shall lie to the Government against any order of punishment imposed by the prescribed authority except an order of censure.*" ' "

The amendment was put and carried.

* SRI T. T. KRISHNAMACHARIAR :—" Sir, I have got only one suggestion to make with regard to the resolution before the House. Annexure I, Schedule II, gives the list of universities whose degrees should be obtained by candidates to be eligible for being entertained in the Service. The American universities have been left out from the list; the American universities are very important ones. It is quite possible that young men from Madras and other parts of India would go to America and Germany and get themselves qualified; such universities like Harvard, Cornell and California are well known. I suggest to the Hon. Minister that important American and German universities should be included in the Schedule."

* THE HON. SRI B. GOPALA REDDI :—" I am thankful to the suggestion made by the hon. Member, but it is very difficult to get the names of the American and German universities where they give the necessary training for students. Without having regular data with regard to the names of the universities and the training they give, I do not know what I should do. If the hon. Member gives me the names of the universities and if they give satisfactory training to students, there will be no difficulty to add these universities to the list in the Schedule."

BASHEER AHMED SAYEED SAHIB BAHADUR :—" Sir, in the absence of any list available to the Hon. Minister for Local Administration, as to the specific universities, it is better that a provision is added to the effect that such other universities as may be approved by the Government will be included in the list. They may include such universities as are competent enough to train the students for entertainment to this service. That is what is generally done by university bodies when they recognize the degrees of other universities. I suggest that the words, ' such other universities as may be approved of by the Government ' might be added to the annexure."

* THE HON. SRI B. GOPALA REDDI :—" Even in the absence of such a provision and even as things stand, if the names of such universities are suggested, they will be considered by the Government."

MR. SPEAKER :—" The question is that—

' the draft rules proposed to be made by the Government of Madras under sub-section (2) of section 74-A of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), be approved.' "

The motion was put and carried.

III.—THE MADRAS PUBLIC HEALTH BILL, 1938
(L.A. BILL No. 17 OF 1938).

MR. SPEAKER:—"We will now pass on to the next item in the agenda."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Sir, you are aware that copies of the Select Committee's Report on the Public Health Bill have been placed in the hands of hon. Members of this House only just now . . ."

THE HON. DR. T. S. S. RAJAN:—"Sir, I have not moved any motion at all; I have not presented the Report of the Select Committee. I do not know how any remarks may be made on the Public Health Bill."

MR. SPEAKER:—"I said that the next item in the agenda might be taken up. The hon. Member, Mr. Abdul Hameed Khan, may raise a point of order that the next item need not be taken up."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Sir, I thank you very much for your ruling. I am just asking you to consider whether the next item should be taken up or not. The next item relates to the presentation of the Report of the Select Committee on the Madras Public Health Bill. Copies of the Select Committee's Report were placed in the hands of hon. Members of this House only this afternoon. They have to consider this Report in detail. There are as many as 85 pages in the Report; I see that the Select Committee has made very many alterations in the Bill. If it is permissible, we would suggest that the Bill should be republished inasmuch as very many changes have been made in the provisions of the Bill. But the Select Committee has stated that the changes made in the Bill are not substantial and that the Bill need not therefore be republished. That does not mean that the alterations are not of an important nature. Besides, rule 88 says, 'After the expiry of fifteen days from the making of the report, the Member in charge may move that the Bill, as reported by the Select Committee, be taken into consideration.' I am not raising a point of order, because according to rule 112, the Speaker has got the right of waiving the rules and Standing Orders . . ."

MR. SPEAKER:—"The Speaker has not waived any of the rules."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"As the item has been included in the agenda, I thought that the Speaker has waived the rules."

MR. SPEAKER:—"The Speaker has not waived any rules so far, but he may do so hereafter."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Sir, I understand that you have not waived rule 88. Then I wish to

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raise a point of order. Under rule 88, the Report of the Select Committee can be taken into consideration only after the expiry of fifteen days from the making of the Report.

4-30 p.m. "The Hon. Minister in charge is going to move that the Bill be taken into consideration."

MR. SPEAKER:—"But the first item is the presentation of the Report of the Select Committee. Can he not present the Report now?"

ABDUL HAMEED KHAN SAHIB BAHADUR:—"The Report may be presented, Mr. Speaker, but the question whether the Report can be taken into consideration . . ."

MR. SPEAKER:—"That is quite a different matter. The first item is that the Report should be presented to the House. It is only after the presentation of the Report that the question of taking it into consideration will arise."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"If that is the view of the Hon. the Speaker, I shall rise after the Report is presented."

MR. SPEAKER:—"I thought the hon. Member was objecting to the very presentation of the Report so soon after the Report was made."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"I have no objection to the mere presentation of the Report, Sir; but if it is the object of the Government to take up the consideration of the Report . . ."

MR. SPEAKER:—"That is a different matter altogether. We will come to it later. There are two parts—the presentation of the Report, and the consideration of the Report after it is presented to the House. Does the hon. Member object to the very presentation of the Report? If so, he is entitled to do so."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"I am not taking any objection to that, Sir."

MR. SPEAKER:—"Then the Hon. Minister may present the Report of the Select Committee."

* THE HON. DR. T. S. S. RAJAN:—"Mr. Speaker, Sir, I beg to present the Report [a] of the Select Committee on the Madras Public Health Bill, 1938, and move that the Bill as amended by the Select Committee be taken into consideration. In doing so, I just want to make a few observations . . ."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Mr. Speaker, on a point of order. The Hon. Minister is making both the motions at the same time."

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[a] Published in the *Fort St. George Gazette*, dated 20th December 1938.

th December 1938]

MR. SPEAKER:—"He can only present the Report first. 'wo motions cannot be made simultaneously."

* SRI G. KRISHNA RAO:—"But he has made both the iotions, Sir."

MR. SPEAKER:—"He cannot make them both. He may peak about the first motion and make a casual reference to the Report in the way of an *obiter dictum* or something like that. In his case, I should like to point out one thing, though hon. Memers have not noticed it. Although the Provincial Assembly Rules are not very particular about the presentation of the Report, he Central Assembly Rules are very strict in that respect. In he case of the Central Assembly, the Report of a Select Comnittee shall be made not sooner than three months from the date of the first publication of the Bill in the Gazette unless the Assembly orders the Report to be made sooner. That is why generally when the motion is passed, referring a Bill to a Select Committee, an instruction is specifically put in that the Report should be made before such and such a date. In the absence of such an instruction, the Report, in the Central Legislature, shall not be made sooner than three months. But here, the rules relating to the making of the Report are different from those in the Central Legislature, and there is no provision in our rules similar to that in the Central Legislature. As such, we cannot have any time-limit here; but I think a reasonable time may be given. But as a matter of fact, since this is a unanimous Report, it may be presented to-day. Then with regard to the consideration of the Report, we shall think about it. So, the Hon. Minister may now present the Report of the Select Committee."

THE HON. DR. T. S. S. RAJAN:—"Mr. Speaker, in present ing this Report of the Select Committee to this House, I have go to make a few observations. The Bill was first published in th *Fort St. George Gazette* on the 10th of November 1938 and to-da it will be roughly one month since it was first placed before th public. The Select Committee was appointed on the 28th o November, and since then, it has been sitting every day except o the intervening Sunday; and for two days during the course o the discussions, the Select Committee sat right through for mor than six hours a day. All told, the Select Committee has devote its attention in very great detail to almost every section includin the chapter on definitions, and the Schedule that is attached t the Bill. The members themselves have had no particular objec tion to the presentation of this Report; and, if for considering th Report, they want to have just a little time, such time as may b consistent with the subject-matter dealt with in this Bill, the can always move such amendments as may be necessary for mod fying or even radically altering the provisions, wherever foun necessary.

" *But I will just mention a few salient points that were considered by the Committee which might perhaps help the members of this House in arriving at certain conclusions with regard to notices of amendments.*"

MR. SPEAKER:—" That is not now before the House. This is the stage of mere presentation of the Report. The Hon. Minister need not go into the contents of the Report at this stage except to make a brief statement."

* THE HON. DR. T. S. S. RAJAN:—" In mentioning these things, I will just give a summary."

MR. SPEAKER:—" Amendments do not come in now. This is not a motion for consideration; it is only on a motion for consideration that we can think of speaking about amendments. No reference need be made to the amendments now."

* THE HON. DR. T. S. S. RAJAN:—" I am trying to give an idea as to what happened in the Select Committee, so that members who want to move amendments may understand . . ."

MR. SPEAKER:—" The motion that the Bill be taken into consideration has not yet been made; we have not come to that stage now. We are now in the stage of the presentation of the Report."

* THE HON. DR. T. S. S. RAJAN:—" Then, I have nothing very particular to add, Sir, with regard to the subject-matter of the amendments or with respect to the matter contained in the Report of the Select Committee. It has been placed in the hands of the members of the House, and when the Report is taken up for consideration, I shall say what I have to say . . ."

MR. SPEAKER:—" But what is the objection to the Report being taken into consideration, Mr. Hameed Khan?"

ABDUL HAMEED KHAN SAHIB BAHADUR:—" There is no such motion before the House now, Sir."

MR. SPEAKER:—" But there will be, particularly as you are raising a preliminary objection that the motion should not be made. What is your objection to the making of such a motion?'

ABDUL HAMEED KHAN SAHIB BAHADUR:—" Mr. Speaker, I am very thankful to you for the generous way in which you are guarding the interests of the members of this House. (Hear, hear.) I take it, Sir, that you will not allow the Hon. Minister for Public Health to move that the House do consider the Report of the Select Committee at this stage, in view of the fact that, as I have already stated, copies of the Report were handed over to the members of the House only this afternoon.

Members of the House have not even looked into the Report; they do not know where any alterations or amendments have been made by the Select Committee. I understand that as many as forty sections of the Bill have been amended. In view of the fact. Mr. Speaker, that sufficient time has not been given to the members of the House to examine what amendments have been made and to go into the Bill as amended by the Committee carefully, and in view of the fact that if members wish to move any amendments to the various clauses of the Bill, they must have some time for giving notice of such amendments, and in view also of the fact that the members have not studied the Bill and some time should be given to them to enable them to study it, we want . . ."

MR. SPEAKER :—" What time will be sufficient in the hon. Member's opinion? "

ABDUL HAMEED KHAN SAHIB BAHADUR :—" Mr. Speaker, I do not know the convenience of the mufassal members; but if the Hon. Speaker can adjourn the consideration of this measure to the 20th of January 1939 when we are meeting again, we will have had sufficient time—not only ourselves, members of this House, but the public also will have had sufficient time—in my opinion, to consider the provisions of the Bill as amended by the Select Committee. Sir, very many changes have been made at the Select Committee stage, and inasmuch as this is a very important measure which the Government are seeking to get through, not only the members of this House but the public would very much like to see what amendments have been made by the Select Committee. Also, in view of the public opinion that may be expressed, the members of this House will come here better prepared with the necessary amendments to the clauses of the Bill as now presented. In view of all these considerations. Sir, I would suggest to you that we might take up the Report of the Select Committee for consideration when we meet next on the 20th of January 1939."

* MR. G. E. WALKER :—" Mr. Speaker, I should like to associate myself and the members of the group to which I have the honour to belong with the remarks made by the leader of the Muslim League party. The Bill is very substantially changed now especially in regard to some of its most vital provisions; and I and two of my colleagues particularly, who are representing a constituency which is conterminous with the Presidency, would like to have some little time in which to consult our constituents in the matter. I do realize, Sir, that the rules empower you, when circumstances make it desirable, to waive the strict application of rule No. 88 which fixes the maximum of 15 days. But I do support Mr. Abdul Hameed Khan when he asks you not to exercise your right on this occasion. Sir, I also support him when he

asks for an adjournment until the middle of January. Fifteen days from now would bring us up to edge of the Christmas holidays; and starting then, it would not be possible to get through the Bill before Christmas: and I do not think either that any useful purpose would be served in trying to hurry the Bill along or having a special session about one month from now, more or less immediately after the holidays. So I hope, Sir, that you will see it fit on this occasion not to exercise your discretion to waive the rule. As regards the time, I, and particularly the members of my group, would be perfectly happy to leave the fixing of the date entirely to you."

MR. SPEAKER:—"*You suggest 20th of January 1939.*"

MR. G. E. WALKER:—"Yes, any time about that date would suit us."

* SRI *DIWAN BAHADUR* A. APPADURAI PILLAI:—"Mr. Speaker, I rise to associate myself with what has been already expressed by the previous speakers in regard to the question of the consideration of the Bill. Before I proceed to make my remarks, I think it is my duty to express my thanks to the Chair for so jealously safeguarding the interests of the members here for a proper consideration of the measure. Sir, we find that the Bill has been engaging the attention of the Government for more than a year, and it has taken a very long time for them to formulate definite proposals and embody them in the Bill. The Bill has been before the public and the members of the House only for a short time though it is a very comprehensive Bill including questions of water-supply, sanitation, public health, vaccination, infectious diseases and all sorts of matters that are very essential for the maintenance of public health. That being the case, it does not seem to be in the fitness of things to rush through the provisions of this Bill in the manner sought to be done to-day. There is a good deal of public criticism on the provisions of the Bill, as one might have observed in the articles which have appeared in the papers. There is a good deal of relevant criticism with reference to the various provisions of the Bill. For instance, Sir, the extensive powers that are proposed to be given to Health Officers and the Director of Public Health, have been under criticism of the public for some time past. We would like to examine the provisions bearing on this matter very thoroughly, before we put in our amendments. I feel, personally, that the Director of Public Health is being constituted into a small government within the Government, that very great powers are proposed to be given to him. And we find that it is necessary that we should thoroughly examine the question in all its aspects before we come to this House with definite views in the matter. Sir,
a. some of the provisions relating to water-supply, sanitation and remedial measures like inoculation and vaccination do find a place

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in the Bill. As hon. Members are aware, there are existing enactments in which there are such provisions; for instance, there is the Local Boards Act, the District Municipalities Act and the City Municipal Act. One has to see how these provisions clash with one another. A very careful examination of the provisions is thus necessary. Sir, I tried to examine some of the clauses with the existing provisions in the Local Boards Act but I have made very little progress so far; and I would like to have some more time to study these provisions side by side, so that we might not commit any inconsistencies or mistakes or contradictions. I dare say, the Government and the Hon. Minister in charge of the Bill have examined these points carefully. But, in order to assure ourselves that there are no inconsistencies in the provisions in the existing enactments and those proposed in the Bill, I think sufficient time is necessary.

"As regards the modifications, it was stated that only very few modifications have been made in the Bill; but the modifications printed in clarendon type as one finds in the revised Bill are too many. As observed by my hon. Friend, Mr. Abdul Hameed Khan, there are as many as 42 amendments in the Bill and some amendments affect several clauses wholesale; it is very necessary for us to compare the new clauses that have been introduced by the Select Committee with the clauses in the original Bill.

"No doubt, Sir, the Select Committee was composed of members well-versed in the matter of public health, sanitation and the like; but anyhow, since the Bill has come before the House for its approval, I think, it behoves the Government to allow the House sufficient time to go into a detailed examination of the various provisions of the Bill."

MR. SPEAKER:—"What do you think will be sufficient time? Do you think one week will do?"

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—"In regard to that, my hon. Friend, Mr. Hameed Khan, has already asked for time till the 20th January when we may take the Bill into consideration. I find, Sir, that the hon. Member representing the European group, Mr. Walker, has also supported that request, and so I do not think that I need vary the date. I would therefore like you, Sir, to give us that time, i.e., till the 20th January so that we may go through the Bill and consult some of our mufassal friends and others who have practical knowledge of health matters and place intelligent suggestions and intelligent amendments before the House."

* SRI G. KRISHNA RAO:—"Sir, I want to associate myself with the observations made by my hon. Friend, Mr. Appadurai Pillai. Even at the time of the inception of the Bill we desired to say that this being a big Bill consisting of 144 clauses . . ."

MR. SPEAKER:—" I think the Leader of the House is going to make a statement. I think the hon. Member can say what he wants to say after the Hon. the Premier has made his statement."

* SRI G. KRISHNA RAO:—" He will take the wind out of our sails."

MR. SPEAKER:—" I don't think you are so easily to be taken off."

* SRI G. KRISHNA RAO:—" Then, I surrender my right in favour of the Leader of the House, Sir."

* THE HON. SRI C. RAJAGOPALACHARIAR:—" Sir, I am not going to do anything so wonderfully wicked, but I just wish to mention this. The Select Committee consisted of a fairly good number of representatives from all sections of the House; and if at all there was any weightage, it was in favour of the side that is now asking for postponement. It seems that we had come to unanimous conclusions in the Select Committee, almost unanimous, I should say. Even the minor points of dissent had been expressed and they appear in the Report now, but if there are general principles which will not gather weight in course of time, they can be discussed even now or at any time, I mean those points of dissent. Moreover, Sir, the gentlemen who are asking for time were themselves members—most of them—of the Select Committee itself, and I can only say that I, who was also there, feel extremely surprised at the sudden offer of difficulties or presentation of difficulties just now.

" Having said that much about conclusions in the Select Committee, I wish to say this about the Bill itself. If the Bill is not at all to be taken up at this sitting, let me say, that considering the business that we have for the January session, as well as for the session immediately thereafter, it is not at all likely that this Bill will make any progress till late next year. It is not a practicable proposition to put it off to the January session, because the January session will be taken up with quite a different kind of important work and it will be difficult to thrust this in at that sitting. Then the budget session will come in. If hon. Members on the whole desire that it should be held up because public health has stood quite well all these 150 years without this Bill, let us put it off for another year, if necessary, and I do not mind it. But, as the Leader of the House, I wish only to point out what is likely to happen in view of our business, if this Bill is to wait till after the budget session. Members will not be willing to sit in summer, in all probability. I have no objection to any course.

" There is also another alternative. Members have read the Bill in its original form and important members have taken the fullest opportunity to present their ideas in the Select Committee

and, I may also add, those ideas have mostly been accepted and the Bill is now before them. If we can take up on Monday the general discussion on the question of taking the Bill into consideration, during which discussion, I am sure, most of the important principles will be thrashed out fully, in the interval the clarendon type portion of the printed Bill in the hands of members may be read carefully, and vigilantly analysed, and on Monday—with Saturday and Sunday intervening—the general discussion can take place. Even then, if it is felt by members that the consideration of the Bill clause by clause would be premature, it would be open to the House to ask for an adjournment and the Government also will be very willing to adjourn the consideration. But, I do not think it will become necessary, if only members could get over this feeling that it should be put off. If even now, you are willing to suspend the rule, as has been done often, I do not think the House would have any objection and I think I can speak on what might have been the case, if we take up the Bill on Monday instead of to-day. On the other hand, if all members want to put it off till next autumn, the Government will not stand in the way."

* SRI G. KRISHNA RAO:—"Sir, it is only a suggestion made· it was not with a view to putting it off indefinitely that members wanted some more time. It is within your discretion, Sir, to allow them as much time as is necessary for the consideration of such a big Bill as this. In regard to that, some members have suggested postponement till the 20th January 1939, and some others have suggested that it might be taken up earlier in January. Sir, the Public Health Bill is intended for the public and not for the Ministry."

* THE HON. SRI C. RAJAGOPALACHARIAR:—"Sir, that is a very humorous, but not at all a good observation. It was never urged that any Bill was for the Ministry, except perhaps the Salaries' Bill which the House has passed."

* SRI G. KRISHNA RAO:—"Sir, I am speaking in a humorous sense and I have not said anything about the Ministry. It was because of the anxiety of the Hon. the Premier and the Ministerialist benches to push through this measure so quickly, that it seems as if they want to have it done in this manner. Sir, there is no necessity to go on so rapidly, considering the fact that we have as many as 144 clauses to be gone through, and the amendments which may be given notice of have also got to be gone through; and, especially when we are in session, there will be hardly enough time for us to go through the altered clauses, however bold may be the type in which they have been printed. We have got still to consult some people. However unimportant

we may be as members of this House, though very many important members have gone into the Committee, we still hope that we have something to do here as legislators. Since we have come here to represent our constituencies, we have a passport to speak on their behalf. I say in all humility that sufficient time must be given in this matter because it is a very compendious measure and covers up the whole field of public health in the Province; autocratic powers are to be given to officers under the Bill; radical changes have been brought into the whole scheme; local bodies have been thoroughly ignored; all these things have got to be taken into consideration. Further, Sir, since the publication of this Bill, we see from the papers that the Corporation of Madras has got up a special meeting of its Council and has given its views on the Bill and I also understand that some other local bodies have given their views on the matter . . ."

MR. SPEAKER :—" The Hon. Prime Minister suggests that after a general discussion of the Report on Monday, some other days might be fixed for the consideration of the amendments. Is it not a convenient arrangement? "

* SRI G. KRISHNA RAO :—" Sir, I think that we are within our rights to ask for time and that we are not wrong in doing so. At the same time we do not want to impede the work of the Legislature or interfere with the programme of the Ministry. What we want is just the necessary amount of time for us to go through the large number of clauses which have a very important bearing on matters covering the whole field of public health."

MR. SPEAKER :—" I think the Hon. the Prime Minister has made it very clear that the consideration of the Report might be finished on Monday, and that if it is then found that the discussion of the amendments should be adjourned till January, he has no objection. I do not see why hon. Members should have any objection to that course."

* SRI G. KRISHNA RAO :—" We do not want to say anything with regard to time and we would leave it to the Prime Minister to give us whatever time he thinks proper. We are only quite willing to abide by your decision, Sir."

* THE HON. SRI C. RAJAGOPALACHARIAR :—" Just one thing, Sir. I do not quite understand what the proposal was that Mr. Krishna Rao made."

MR. SPEAKER :—" He thinks that the consideration of the Report also may be postponed because they have to study the whole Bill as amended. He does not agree to Monday because the time is very insufficient."

* THE HON. SRI C. RAJAGOPALACHARIAR :—" Then, if it is not to be considered on Monday, as I have already stated, it means, it should go beyond the budget session. It is not as if

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this House alone should consider the Bill and there is the other House to which it has got to go. Even if it is Tuesday or Wednesday next, I do not mind it. or if it is a question of a day or two more it may be mentioned. On the other hand we are simply talking generally.

"Before that is done, I want to make a personal explanation. Hon. members—more than one of them—seem to imagine that we are hurrying the Bill through and Mr. Krishna Rao definitely put it in a manner, which, I am sorry, I had to interrupt. He said that the public is interested in this Bill and not the Ministers. May I, with your permission, Sir, say that the public are not speaking just now, but the Opposition members are speaking; and the question has to be decided as to the hurry. I think we have a claim to represent the public and it is in the interest of the public that we want to hurry, but if the Opposition members say that they have not got time to criticize the Bill, they are entitled to say so. But, I want them to realize that if it is a dispute as to who represents the public, we here claim, so long as we are in charge of the Government, to represent the public." (Cheers.)

* MR. E. H. M. BOWER:—' Sir, as one representing the smallest communal constituency in this House, I have followed this debate with intense interest and I personally thank you for the attitude you are taking in this matter. We have had quite enough of these steam-roller tactics that the Government have been indulging in. Bill after Bill is being rushed through without any chance of the people of the Province knowing anything about the details of those Bills, and without the constituencies being given a chance of saying what they have got to say on them. I do feel, Sir, that in a case like this where there are innumerable alterations to a Bill, a lengthy Bill, at least we might have the poor consolation of knowing that our wishes have been acceded to to the extent that the actual and ordinary routine prescribed by the rules is followed. Why not give the three weeks asked for? That is all we can hope to get from this immense majority."

* THE HON. SRI C. RAJAGOPALACHARIAR:—" Does the hon. Member want to sit during Christmas? What is his idea?"

* MR. E. H. M. BOWER:—" I am quite willing to have the Bill taken up in January, not necessarily on the 20th as was suggested. It may be taken up earlier in the month if the Government are agreeable to that course, considering the feeling on this side of the House.

"Time after time we have seen these steam-roller tactics 5 p.m. adopted and my heart rose within me when you, Mr. Speaker, came to our rescue and indicated that the Opposition had a right to ask for time and that, but for special reasons, you were not inclined to waive the usual notice required under the rules. I do

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hope that the Government will consider our feelings in this matter and give us what we consider is our legitimate right, so that we may be able to consult public opinion and move the amendments we consider necessary to improve the Bill."

* KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"I submit, Sir, that for a thorough examination of the provisions of the Bill, nearly a month will be necessary."

MR. SPEAKER:—"A month for a thorough examination!"

* KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"I think that a month is the minimum that will be required to study the provisions of the Bill and to prepare the list of amendments to be given notice of for improving the Bill.

"But if it is to be taken up earlier than that, and if it is proposed to give us only a few days, I submit a few days will not make much difference. If we are not given enough time to make a thorough study, it is just the same as taking it up to-morrow or some two days afterwards. If that is the idea, it will be convenient for mufassal members if it is taken up either to-morrow or the day after, for we, members coming from the mufassal, cannot be waiting here without any work."

MR. SPEAKER:—"I presume it is a question of studying the provisions of the Bill and not merely waiting."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"For studying the provisions of this Bill a month or at least three weeks are necessary, if it is to be a real study. Otherwise, if a few days only are to be given, it is as good as nothing; and it may as well be taken up to-morrow or the day after. Therefore, I submit that if you are not inclined to adjourn it to the next month, it may be taken up as early as possible."

MR. SPEAKER:—"The choice, therefore, is between adjourning the consideration to the next month and taking it up on Monday."

* THE HON. SRI C. RAJAGOPALACHARIAR:—"I think this is merely a desultory discussion on the general principle itself. The question is that if hon. Members insist that the general discussion cannot be taken up now, the Government have no objection to put it off, and we need not carry on this discussion unnecessarily. But if the hon. Members are inclined to take up the general consideration first and the amendments are to be brought in afterwards, the Government have no objection to it. The general consideration may be taken up now or on Monday; and taking up the Bill clause by clause may be put off to any length of time that is wanted."

MR. SPEAKER:—"Suppose we have a general discussion now?"

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ABDUL HAMEED KHAN SAHIB BAHADUR:—" The Hon. Premier has told us that the consideration might be taken up on Monday or to-day itself. If it is to-day, we have already raised our objection. But if it is to be taken up on Monday, hon. Members coming from the mufassal will have to be in a suspense whether the question once considered generally on Monday, will be proceeded with or not. If it is to be proceeded with, the few days given to them will certainly not be useful to them. They would much rather like to leave for their usual places of residence and like to take up the whole thing in January, when they would have had enough time to study the Bill. I submit there is no point in asking hon. Members from the mufassal to remain here on the off-chance of our considering the Bill."

MR. SPEAKER:—" Why off-chance? The Hon. Premier says that the consideration of the Report of the Select-Committee would be taken up on Monday. We may take a day or two and then adjourn to January for the discussion of the amendments."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" There is just this possibility, Mr. Speaker, of our not taking up this Bill continuously after the general consideration on Monday."

MR. SPEAKER:—" The discussion on the motion for consideration will be finished on Monday."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" Are we to understand, Sir, that only the general consideration will be taken up on Monday and Tuesday, and that the consideration of the Bill clause by clause will not be taken up during this month but will be adjourned till January?"

MR. SPEAKER:—" The Report of the Select Committee will be taken up on Monday and that will be disposed of. The House will adjourn for the discussion of the amendments till January."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" If that is definitely settled, I have no objection."

BASHEER AHMED SAYEED SAHIB BAHADUR:—" I rise to refer only to this aspect of the question. Let us know definitely whether the Bill is to be finished this year or it is to be taken over for the next year. I think that the Hon. Minister is anxious to finish it this year itself."

MR. SPEAKER:—" He is not anxious. He wants to give time for the discussion of the amendments till January and he only wants that the motion for consideration should be finished now. That is what the Hon. the Premier has put to the House."

BASHEER AHMED SAYEED SAHIB BAHADUR:—" I want that there should be some reason on both sides. The Select Committee has sat on this Bill . . ."

MR. SPEAKER:—"The Hon. the Premier has already made it quite clear that the motion for the Bill as reported by the Select Committee being taken into consideration may be finished during this sitting, and then the discussion on the amendments may be taken up in January if the House agrees to it unanimously."

BASHEER AHMED SAYEED SAHIB BAHADUR:—"If that were so, let me appeal to the members of the Opposition to accept the suggestion and we shall proceed with the motion that the Bill be taken into consideration on Monday and Tuesday."

MR. SPEAKER:—"The hon. Member will know that it is not enough if some members agree; the Speaker will have to exercise his discretion in allowing the motion for the Bill being considered and that is why he is allowing all hon. Members to say what they feel and to make their suggestions."

BASHEER AHMED SAYEED SAHIB BAHADUR:—"May I appeal to the members . . ."

MR. SPEAKER:—"No appeal is necessary."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"I am not able to see any point in having the general discussion at this stage if the Bill is not to be proceeded with at once. After all you have to exercise your extraordinary discretion and suspend the Standing Orders if this Bill as reported upon by the Select Committee is to be taken up at once, for under the Standing Order the motion that the Bill as reported by the Select Committee be taken into consideration could only be made after the expiry of fifteen days from the making of the Report."

MR. SPEAKER:—"You cannot object to the Minister making the motion immediately after the fifteen days; he can make the motion. But if he does it within the 15 days, the period required under the rules, the Chair will have to exercise its discretion whether it is a Bill that can be taken up."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"If it is to be taken up on Monday which is within the 15 days required under the Standing Orders, it will have to be only by appealing to you to exercise your discretion in favour of the suspension of the Standing Order. After that, they have a right to make the motion."

MR. SPEAKER:—"Apart from the question of right, I consult the convenience of the House. Is it not convenient that the general discussion should be finished, so that members of the Legislature may know the reasons for the changes made in the Select Committee, the principles that had been observed in that regard, and may be clear in their minds as to what amendments are to be given notice of during the later stages of the Bill?

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I think it would be convenient both for the members of the House and others including local boards and municipalities, to know the general discussion on the Bill, the scheme of the Bill and the principles applied in the matter of changing the provisions thereof. With these in their minds, hon. Members may make a study of the Bill and be in a better position to give notice of amendments later."

* THE HON. SRI C. RAJAGOPALACHARIAR :—" Sir, at the risk of being a little too talkative, may I explain the advantage of this proposal? There are a few salient features in the Bill and hon. Members who are now moving vigorously for putting off the discussion are aware of these salient features. If the Government hear the points raised with reference to this matter and all the hon. Members hear those points and the replies therefor, it will be easy for them, on their going home, to give notice of amendments to be considered later on at another sitting; hon. Members will know what to concentrate upon and what amendments to give notice of. If we disperse now without the general consideration, nobody knows what to move by way of amendments and we will get a chorus of amendments for nothing at all. A general discussion of the Bill will help to clarify, simplify and minimise the amount of discussion."

MR. SPEAKER :—" But the difficulty is that hon. Members feel that two days will not be enough for the study of the Bill. It has been represented that this may be taken up in January. But I would like to know why we should not give a week's time and take up the consideration of the Report on the 15th."

* THE HON. SRI C. RAJAGOPALACHARIAR :—" Hon. Members have already studied the Bill as it originally stood and those that were on the Select Committee know what changes have taken place in the Bill. As for the others, the Report of the Select Committee clearly specifies where and why the changes were made. But it is open to them to say that the time allowed to them till Monday is not enough."

RAO BAHADUR SIR A. T. PANNIR SELVAM :—" But Members will have to be waiting here for nothing."

MR. SPEAKER :—" They will be studying the Bill."

RAO BAHADUR SIR A. T. PANNIR SELVAM :—" I feel gratified that after eighteen months of the life of this House, there is some little hope that the remarks of members on this side of the House is beginning to have some influence on the Government in their conclusions. I think it is but right that members of the Opposition should allow the discussion to proceed straightaway for the benefit of the Ministers."

Mr. SPEAKER :—" I think we may have the discussion on the 15th."

* The Hon. Sri C. RAJAGOPALACHARIAR :—" If Sir Pannir Selvam represents the sense of the other side of the House, it would be more economical to take it up now and adjourn after it is finished. It would also be convenient to members like Mr. Schamnad to go back after the discussions are over."

Mr. SPEAKER :—" But Mr. Pannir Selvam, I suppose, does not represent the sense of the House."

Rao Bahadur Sir A. T. PANNIR SELVAM :—" If there is to be a mere general discussion now and we are not to go into details, it is much better that it is finished as early as possible. I think that it is the view of all mufassal members."

Mr. SPEAKER :—" Members feel that sufficient time will not be available if the discussion is to be taken up on Monday and that is why I am suggesting the 15th of this month. It will not be as if they will be doing nothing; they will be studying the provisions of the Bill."

Rao Bahadur Sir A. T. PANNIR SELVAM :—" Let us have it on the 12th. That is the latest date I would like it to be taken up. Such members who want to have more time, could participate in the discussions on the 13th. There is not going to be any voting and members may leave after taking part in the discussions. Those who are prepared may take part in the discussions on the 12th itself and go away."

Mr. SPEAKER :—" Members are expected to sit as long as the House sits."

Rao Bahadur Sir A. T. PANNIR SELVAM :—" As long as their presence will be useful."

Mr. SPEAKER :—" Everybody's presence is useful. Every minute of this House is useful. Members are expected to be present at every sitting of the Assembly."

Rao Bahadur Sir A. T. PANNIR SELVAM :—" I was only saying that this has been a long session. We were not very clear in our minds at the time when we started from our places, as to how many days we were to be here. Not that we have not done good work. We did not know how long we were to be here and we have been sitting longer than we anticipated. So we want to get away as early as possible after going through the work. That is why I suggested that the discussion be proceeded with even now."

5 p.m. * The Hon. Sri C. RAJAGOPALACHARIAR :—" If not to-day or on Monday, I join the Opposition in asking that it may be put off altogether, because apart from anything else, it is a

terrible waste of public money to meet again at short intervals. The other House no doubt sits and the Ministers will have to be here but the members of the Assembly will have to go and come back. Secondly, there is no object in prolonging the meeting towards Christmas like that. There will be other work which will have to be done in anticipation of the work which is put off for the January session; that will also be interfered with. But if members are willing to have the general discussion either to-day or on Monday, there is some advantage and some chance of minimizing our work later on."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"Mr. Speaker, nobody is anxious to delay the proceedings of this Bill any longer. But every one is anxious to contribute his best towards shaping this Bill. And I can assure the Government how in a matter like public health, all are anxious to co-operate and see that this Bill is enacted as early as possible. But the question is, Sir, the convenience of mufassal members and also the possibility of members having some time to go through this Bill. Both have to be taken into account. But there are some difficulties, as the Prime Minister said. 14th and 15th will not at all be convenient to mufassal members. So far as I am concerned, personally it suits me. But so far as the mufassal members are concerned, I think it will be difficult, except for some mufassal members who may go now and come back and spend Christmas in Madras, incidentally. But I should like to suggest one of two things: either have Monday and Tuesday and adjourn definitely on Tuesday—we finish the general discussion that day, and then take up the amendments on the first day in the next session, January 20th, 1939—that will be one arrangement; or, have the general discussion in the next session. But after the Hon. the Prime Minister's tempting suggestion that members of this Legislature will be benefited to this extent that there will be some chance of the Government considering favourably some of the suggestions and being benefited by the discussion . . . (The Hon. C. Rajagopalachariar: 'Both sides.') With regard to the drafting of amendments and that the Government will consider these suggestions in the department in the meantime; after this attractive suggestion, I have no argument to offer against it. Probably, given some time I might find one, but not now. With regard to Bills of this nature, it is no doubt usual to have the general discussion with the amendments immediately following and this will no doubt be a novel procedure. But it is always said that unusual circumstances like this should be taken as special circumstances, and the Public Health Bill being the first of its kind in this country. I think this procedure which the Prime Minister has suggested of having the general discussion for two days now is not very objectionable."

MR. SPEAKER:—" Does the hon. Member think that it is necessary to have two days. One day may be enough. The discussion on the original Bill took only one day."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD: —" I do not expect the discussion to go beyond one day. I mentioned two days only. . ."

MR. SPEAKER:—" As a matter of abundant caution."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD: —" I mentioned it only as a maximum so that you, Sir, can apply the guillotine at the end of the second day."

MR. SPEAKER:—" No guillotines in this House."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD: —" You, Sir, can apply the guillotine in the nice manner in which you are accustomed to do it."

MR. SPEAKER:—" So in January, we may have to sit two or three days before the 20th."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD: —" Not before the 20th. We can have it when we meet on the 20th. The budget session is going to begin only in March. The Government can arrange the order of business. Let them take up the Estates Land Act Committee Report first or the Public Health Bill first."

MR. SPEAKER:—" The House has already fixed the 20th and the subsequent days for the purpose of the discussion of the Estates Land Act Committee Report. So we shall have this two days earlier."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD: —" It will be possible to finish this Bill in the next session. Therefore for the sake of this Bill, we need not meet before the 20th. The Pongal falls on the 13th or 14th, and people may not like to leave their homes and rush up so soon after Pongal."

MR. SPEAKER:—" The Hon. the Leader of the Opposition will see that whereas the discussion on the Estates Land Act Committee Report will be finished in this House, this Bill will have to go to the Upper House. In that case, there will be no time. So let us have it on the 17th or 18th."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD: —" I expect the Government will follow the nice arrangement that they are having just now that the Upper House meets just at the time when the work of the Lower House is finished. I do not think therefore there will be any difficulty in that. I am not anticipating what the Prime Minister has in his mind."

MR. SPEAKER:—" Now it is agreed unanimously that the onsideration of the Bill as amended by the Select Committee vill be taken up on Monday and then the House will adjourn to anuary and probably a few days earlier than the day allotted or the discussion of the Estates Land Act Committee Report. That will be very satisfactory, 17th or 18th."

* THE HON. SRI C. RAJAGOPALACHARIAR:—" It will be ettled to-morrow, Sir."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD: —" Not to-morrow."

* THE HON. SRI C. RAJAGOPALACHARIAR:—" I mean Monday."

* SRI G. KRISHNA RAO:—" It may be the 14th or 15th."

MR. SPEAKER:—" No, 14th is Pongal; 15th is Kanu. The Hon. the Minister for Public Health may make a formal motion hat the Bill as amended by the Select Committee be taken into onsideration on Monday the 12th."

* THE HON. DR. T. S. S. RAJAN:—" Sir, I move—

' That the Bill as amended by the Select Committee be taken into consideration on Monday '."

The motion was put to the House and carried unanimously.

The House then adjourned to meet again at 3 p.m. on Monday, he 12th December 1938.

APPENDIX I.

[Vide answer to starred question No. 464 asked by Sri V. M. Ramaswami Mudaliyar at the meeting of the Legislative Assembly held on the 9th December 1938, page 715 supra.]

Serial number.	Toddy shop number.	Amount tendered by Madras renters on 25th August 1938 for 1938–39.	Amount of bid at the auction held on 7th September 1938.
		I. MADRAS SHOPS.	
		RS.	RS.
1	1	475	485
2	3	550	915
3	7	536	715
4	10	174	280
5	14	500	555
6	26	777	1,000
7	34	No tender received.	No bid received.
8	42	825	Do.
9	46	615	605
10	49	No tender received.	No bid received.
11	50	475	Do.
12	51	655	615
13	60	900	910
14	61	1,400	1,360
15	62	825	No bid received.
16	63	325	Do.
17	64	600	1,005
18	66	1,376	1,105
19	68	No tender received.	No bid received.
20	87	1,500	1,705
21	89	1,100	No bid received.
22	104	1,700	1,505
23	110	600	715
24	111	500	710
25	117	1,050	No bid received.
26	123	2,000	1,805
27	132	1,025	No bid received.
28	136	900	Do.
29	138	525	Do.
30	152	1,000	1,005
31	159	560	No bid received.
32	164	515	565
33	166	470	No bid received.
34	170	805	805
35	176	700	No bid received.
36	185	470	455

Serial number.	Toddy shop number.	Amount tendered by Madras renters on 25th August 1938 for 1938–39.	Amount of bid at the auction held on 7th September 1938.
		I. MADRAS SHOPS—*cont.*	
37	188	555	605
38	192	575	660
39	193	700	705
40	194	550	700
41	197	200	210
42	198	325	No bid received.
43	214		Do.
44	218	600	Do.
45	219	650	655
46	245	550	No bid received.
47	246	965	955
48	247	550	No bid received.
49	248	200	Do.
50	250	400	455
51	252	500	No bid received.
52	258	310	355
53	261	540	No bid received.
54	268	465	Do.
55	272	300	Do.
56	277	810	Do.
57	277-A	No tender received.	Do.
		II. BELT SHOPS.	
1	1	1,700	No bid received.
2	2	770	Do.
3	3	400	Do.
4	5	650	Do.
5	11	1,056	Do.
6	17	400	Do.
7	23	1,290	Do.
8	25	1,300	1,200
9	35	505	No bid received.
10	37	600	505
11	38	450	No bid received.

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APPENDIX II.

[Vide answer to starred question No. 477, asked by Mahboob Ali Baig Sahib Bahadur at the meeting of the Legislative Assembly held on the 9th December *1938*, page 722 supra.]

G.O. No. 562, Education, dated 5th March 1938.

[Secondary schools—Use of the mother tongue as the medium of instruction in high school forms—Press Communiqué issued.]

The following Press Communiqué is issued:—

PRESS COMMUNIQUÉ.

Government are anxious that the use of the mother tongue as the medium of instruction in high school forms, should be widely extended throughout the Province. Although a large number of high schools are at present using the mother tongue as the medium of instruction there are many more which are in a favourable position to adopt its use. It is Government's intention, therefore, that as far as possible in the school-year 1938–39, all high schools in uni-lingual areas should begin the use of the mother-tongue as the medium of instruction in the IV Form and continue to use it in successive years in Forms V and VI. Instructions to this end are being issued. Government realize, however, that there are certain difficulties in high schools located in bi-lingual and multilingual areas and also that there are difficulties in connexion with certain classes of schools, particularly girls' schools. Government have, therefore, decided that in the case of such schools, some time may be given to overcome the difficulties and to enable the schools to make arrangements ultimately for the introduction of the use of the mother tongue as the medium of instruction.

(By order of His Excellency the Governor)

C. H. MASTERMAN,
Secretary to Government.

To the Superintendent, Government Press.
,, Director of Public Instruction.

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APPENDIX III.

[*Vide* answer to starred question No. 502 asked by H. S. Hussain Sahib Bahadur at the meeting of the Legislative Assembly held on the 9th December 1938, page 738 supra.]

List of Commissioners newly appointed between 1*st July* 1937 *and* 31*st October* 1938.

	Name of Commissioners with qualifications.	Caste or community.
1	T. M. Ramaswami, B.A. HONS. (Cantab)	N.B.
2	Ameerali Tabrizi, B.A., B.L.	M.
3	K. P. Narayana Menon (S.S.L.C.)	N.B.*
4	K. Subba Rao Pantulu (S.S.L.C.)	B.†
5	D. Gnanaolivu, M.A.	I.C.
6	C. P. Madhava Menon, B.A.	N.B.
7	R. Purushothama Sastri (Intermediate)	B.
8	C. M. Ganesan (S.S.L.C.)	S.C.
9	R. D. Paul, M.A.	I.C.
10	V. N. Subbaraya Mudaliyar, B.A.	N.B.
11	Y. Guru Reddi, B.A., B.L.	N.B.
12	H. Abdul Hamid, B.A.	M.
13	P. S. Vasudevan, B.A.	B.
14	M. P. Alexander, M.A., B.L.	I.C.
15	P. Pitchi Reddi, M.A., B.L.	N.B.
16	M. Govinda Menon, B.A., B.L.	N.B.
17	Hyder Ali Khan Sahib, B.A.	M.

* *Manager, Calicut Council.* † *Manager, Ongole Council.*

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APPENDIX IV.

[Vide item II at page 740 supra.]

Rules under sub-section (2) *of section* 74-*A of the Madras Local Boards Act*, 1920.

MADRAS LOCAL FUND ASSISTANT ENGINEERS SERVICE.

1. In these rules, unless there is anything repugnant in the subject or context—

(1) a person is said to be "appointed to the Service" when in accordance with these rules he discharges for the first time the duties of a post borne on the cadre of the Service or commences the probation prescribed for members thereof;

(2) "approved probationer" means a member of the Service who has satisfactorily completed, or is deemed under sub-rule (7) or sub-rule (8) of rule 7 satisfactorily to have completed his period of probation and awaits appointment as a full member of the Service;

(3) "cadre" means the sanctioned strength of the Service;

(4) "discharge of a probationer" from the Service during the period of his probation means reverting him to the post previously held by him or on which he has a lien or if he was not holding any such post, dispensing with his services;

(5) "full member of the Service" means a member of the Service who has been appointed substantively to a permanent post borne on the cadre thereof;

(6) "Government" means the Government of Madras;

(7) "member of the Service" means a probationer, an approved probationer or a full member of the Service;

(8) "period of probation" of a member of the Service means the period of probation prescribed in these rules together with—

(*a*) the period until the issue of an order by the Government under sub-rule (5) of rule 7 declaring the probationer to have satisfactorily completed his period of probation; or

(*b*) the period for which the probation is extended under clause (ii) of sub-rule (4) or sub-rule (6) of rule 7; or

(*c*) the period referred to in sub-rule (7) or sub-rule (8) of rule 7 on the expiry of which, the probationer is deemed to have satisfactorily completed his period of probation; or

(*d*) the period until an order discharging the probationer under sub-rule (3), sub-rule (4) or sub-rule (6) of rule 7 takes effect;

(9) "prescribed authority" means the authority appointed by the Government for the purposes of these rules;

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(10) " probationer " means a member of the Service who has not completed the period of his probation;

(11) " scheduled classes " means the communities mentioned in Annexure II to these rules; and

(12) " Service " means the Madras Local Fund Assistant Engineers Service.

2. *Constitution.*—The Service shall consist of such number of local fund assistant engineers as the Government may from time to time determine.

3. *Recruitment.*—(1) First appointment to the Service shall be made by the Government by direct recruitment or by transfer of a person in Government, Municipal or Local Board Service.

(2) Candidates for appointment to the Service shall be selected by the prescribed authority, subject to the approval of the Government.

4. *Temporary appointments.*—Where it is necessary in the public interest to fill immediately a vacancy in a post borne on the cadre of the Service, the prescribed authority may appoint a person whom he considers suitable for a period not exceeding three months on each occasion. A person so appointed shall not be regarded as a probationer in the Service or be entitled by reason only of such appointment to any preferential claim to future appointment and he shall be replaced as soon as possible by a candidate selected for appointment under rule 3.

5. *Communal representation.*—(1) So far as qualified and suitable candidates of the communities concerned are available, appointments to the Service shall be made in the following order namely:—

(i) One non-Brahman (Hindu).

(ii) One Muhammadan.

(iii) One non-Brahman (Hindu).

(iv) One Anglo-Indian or Christian or non-Asiatic.

(v) One Brahman.

(vi) One non-Brahman (Hindu).

(vii) One member of the scheduled classes.

(viii) One non-Brahman (Hindu).

(ix) One Muhammadan.

(x) One non-Brahman (Hindu).

(xi) One Anglo-Indian or Christian or non-Asiatic.

(xii) One Brahman.

Explanation.—The expression " Non-Brahman (Hindu)" shall include every community other than the Brahman, the

Muhammadan, the Anglo-Indian, Christian or non-Asiatic and the scheduled classes.

(2) The stage at which the communal rotation specified in sub-rule (1) shall commence when first applied to the Service shall be determined by the Government.

(3) If a qualified and suitable candidate belonging to any community is not available for appointment to the Service in the turn allotted to that community under sub-rules (1) and (2) or under this sub-rule, a qualified and suitable candidate belonging to the community next in the order specified in sub-rule (1) shall, if available, be appointed: but the former community shall have a preferential claim for consideration when any subsequent appointment is to be made to the Service, until a suitable and qualified candidate belonging to that community has been appointed against that claim.

(4) Where a probationer belonging to any community is discharged from the Service otherwise than for want of a vacancy therein, such community shall have a preferential claim for consideration when any subsequent appointment is to be made to the Service until a suitable and qualified candidate belonging to that community has been appointed against that claim.

(5) If, when an appointment to the Service is to be made, there are two or more communities having a preferential claim under sub-rule (3) or sub-rule (4), that community shall receive first consideration whose preferential claim first arose.

6. *Qualifications.*—(1) No person shall be eligible for appointment to the Service unless he—

(i) is either a British subject as defined in section 1 of the British Nationality and Status of Aliens Act, 1914, or a subject of a State in India who has resided in the Province of Madras, for a period of not less than ten years immediately preceding the date of his application;

(ii) possesses the qualifications specified in Annexure I;

(iii) when recruited direct has not attained the age of 30;

(iv) is of sound health, good physique and active habits, and free from any bodily defect or infirmity unfitting him for the Service; and

(v) satisfies the Government that his character and antecedents are such as to qualify him for the Service.

(2) Notwithstanding anything contained in clause (ii) of sub-rule (1) the Government may by order direct that persons possessing merely Mechanical Engineering qualifications shall not be eligible for appointment to the Service or restrict the number of such persons to be appointed to the Service.

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7. *Probation.*—(1) No person shall be eligible for appointment as a full member of the Service until he has been on probation in the Service for a total period of two years on duty within a continuous period of three years.

(2) Within the period of probation, a probationer shall, unless he has already passed the test, pass the third-class test in any two of the following languages, namely, Tamil, Telugu, Malayalam, Kannada and Hindustani. A person whose mother tongue is one of the above languages or who has taken one of the above languages for his University degree, shall be required to pass the test only in one other of the above languages and a person whose mother tongue is one of the above languages and who has taken another of the above languages for his University degree or who has taken two of the above languages for his University degree shall not be required to pass any language test.

Explanation.—The exemption provided in this sub-rule from passing the test in a language which is a person's mother tongue is subject to the condition that he satisfies the appointing authority that he can read and write in that language.

(3) At any time before the expiry of the period of probation, the Government may, at their discretion, by order, terminate the probation of a probationer and discharge him from the Service.

(4) (i) If within the prescribed period of probation or, where the probation has been extended under clause (ii), within the period for which the probation has been extended, the probationer fails to pass the test referred to in sub-rule (2) the Government shall forthwith by order discharge him from the Service.

(ii) If a probationer has appeared within the prescribed period of probation for the test which he has not passed and the results of such test are not known before the expiry of such period he shall continue to be on probation until the publication of the results of such test. In case the probationer fails to pass the test the Government shall forthwith, by order, discharge him from the Service or extend his probation for a period not exceeding one year.

(iii) Any delay in the issue of an order discharging a probationer under clause (i) or clause (ii) shall not entitle him to be deemed to have satisfactorily completed his period of probation.

(5) If, at the end of the prescribed period of probation, the Government consider the probationer to be suitable for full membership of the Service, they shall as soon as possible or in cases falling under clause (ii) of sub-rule (4) where the probation has not been extended as soon as possible after the probationer has passed the test for which he has appeared, issue an order

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declaring the probationer to have satisfactorily completed his period of probation. On the issue of such order the probationer shall be deemed to have satisfactorily completed his period of probation on the date of the expiry of the prescribed period of probation.

(6) If, at the end of the prescribed period of probation, the Government consider that the probationer is not suitable for full membership of the Service, they shall, by order, discharge him from the Service, or extend his probation for a period not exceeding one year.

(7) In cases not falling under clauses (i) and (ii) of sub-rule (4), if no order is issued by the Government under sub-rule (5) within three months after the expiry of the prescribed period of probation, or, as the case may be, within three months after the expiry of the period for which the probation was extended, the probationer shall be deemed to have satisfactorily completed his period of probation on the date of the expiry of the prescribed period of probation or, as the case may be, on the date of the expiry of the period for which the probation was extended.

(8) In cases falling under clause (ii) of sub-rule (4), if the candidate has passed the test for which he has appeared and no order is issued by the Government under sub-rule (5) within three months after the expiry of the prescribed period of probation or within one month of the publication of the results of the test, whichever is later or, as the case may be, within three months after the expiry of the period for which the probation was extended, the probationer shall be deemed to have satisfactorily completed his period of probation on the date of the expiry of the prescribed period of probation or, as the case may be, on the date of the expiry of the period for which the probation was extended.

(9) An order discharging a probationer issued under sub-rule (3) or clause (i) or clause (ii) of sub-rule (4) or sub-rule (6) shall have effect from the date on which the probationer is discharged.

8. *Appointment of full members.*—An approved probationer shall, if a substantive vacancy in the permanent cadre exists, be appointed by the Government to be a full member of the Service at the earliest opportunity and if such vacancy existed from a date previous to the issue of the order of appointment, he may be so appointed with retrospective effect from such date, or, as the case may be, from such subsequent date from which he was continuously on duty as a member of the Service:

Provided that where more than one approved probationer is available for such appointment as full member, the seniormost approved probationer shall be appointed.

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9. *Special provision for the appointment of members.*—(1) Notwithstanding anything contained in rules 5, 6, 7 and 8, it shall be open to the Government to appoint as probationers or approved probationers or full members of the Service, direct, persons who are already serving or have served as Local Fund Assistant Engineers in any of the district boards.

(2) In the case of persons admitted as probationers under sub-rule (1) they shall be entitled to count their previous service under the district boards towards their probation in the Service only if and to the extent permitted by the Government.

10. *Seniority in the Service.*—(1) The seniority of a person appointed to the Service under rule 9 shall be determined by the Government.

(2) (i) The seniority of a person who is appointed to the Service otherwise than under rule 9, shall be determined by the date of his first appointment to the Service:

Provided that, if any portion of the Service of a member does not count towards his probation, his seniority shall be determined by the date of the commencement of his service which counts towards probation.

(ii) Where the date by which seniority is determined under clause (i) is the same in the case of two or more members of the Service, their seniority *inter se* shall be determined by the Government.

(3) A member of the Service shall, unless he is reduced in seniority as a punishment retain seniority as determined by sub-rules (1) and (2) throughout his service, notwithstanding any delay in the completion of his probation or in his appointment as a full member of the Service.

11. *Pay.*—(1) There shall be paid to a probationer a pay at the minimum rate admissible to a full member of the Service

(2) There shall be paid to an approved probationer or a full member of the Service a pay calculated in the scale of Rs. 150—20/2—250 Efficiency bar 25/2—350.

(3) A member of the Service shall be eligible to draw increments from the date on which he completes his period of probation satisfactorily and shall also be entitled to count the period of probation for purposes of increment.

(4) The Government shall have power to fix the initial pay of a person appointed to the Service at any suitable stage in the scale of pay specified in sub-rule (2) and if the person appointed has already been drawing a pay more than Rs. 350, to sanction personal pay equal to the difference.

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12. *Postings and Transfers.*—Probationers, approved probationers and full members of the Service shall be liable to transfer to any of the district boards. Postings and transfers shall be made by the prescribed authority.

13. *Pay and Allowances.*—The pay, leave allowances, contribution to Provident Fund, pensionary contribution, and when on transfer from one district to another the travelling allowance, of members of the Service (including persons appointed temporarily under rule 4), and the cost of the staff employed to administer the Service (including leave and pensionary contributions) shall be met from a fund called the "Central Fund." The Central Fund shall be constituted out of the amounts recovered from the district boards by adjustment of the maximum annual grants payable to them for the maintenance of important marketing roads and shall be administered by the prescribed authority subject to such provisions as to detailed working as may from time to time be determined by the Government.

14. *Pension and Provident Fund.*—A member of the Service shall not be eligible for pension, but shall subscribe to the Provident Fund maintained by the district board:

Provided that persons who were under any pensionary scheme at the time of their appointment to the Service shall continue to remain under such scheme.

15. *Leave and Leave Salary.*—(1) The leave and leave salary of the members of the Service shall be regulated

(i) by the Fundamental Rules if at the time of their appointment, being in Government, Municipal or Local Board Service, they were or shall be governed by the Fundamental Rules and had not elected or shall not have elected to be governed by the Madras Leave Rules, 1933; and

(ii) in all other cases by the Madras Leave Rules, 1933.

(2) The prescribed authority may grant leave to the members of the Service under the Fundamental Rules or the Madras Leave Rules, 1933, as the case may be.

16. *Travelling Allowance.*—(i) (*a*) The travelling allowance of members of the Service for journeys on tour and for transfers within the district shall be paid from the funds of the district board concerned; and

(*b*) the travelling allowance of members of the Service for transfers from one district to another shall be paid from the Central Fund referred to in rule 13.

(ii) The travelling allowance of members of the Service shall be regulated by the Madras Travelling Allowance Rules.

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17. *Discipline and Conduct.*—In matters affecting discipline and conduct, the members of the Service shall be under the control of the prescribed authority. They will work under the orders and immediate supervision of the respective District Board Engineers.

18. *Conditions of Service.*—Except to the extent expressly provided in these rules, the Fundamental Rules issued from time to time under the authority of the Government shall apply to the members of the Service.

ANNEXURE I.

Minimum qualifications for the post of an Assistant Engineer.

[Referred to in rule 6 (1) (ii).]

(*a*) The Engineering Certificate of the Thomason Civil Engineering College, Roorke; or

(*b*) a pass in Parts A and B of the Associate Membership examination of the Institution of Engineers (India); or

(*c*) one of the Engineering degrees of Indian Universities mentioned in Schedule I; or

(*d*) an Engineering degree of one of the Universities mentioned in Schedule II under the conditions mentioned in that schedule; or

(*e*) a pass in sections A and B of the Associate Membership examination of the Institution of Civil Engineers; or

(*f*) a pass in the Associate Membership examination of the City and Guilds Institute (Imperial College of Science and Technology, South Kensington) in Engineering; or

(*g*) a pass in the Associate Membership examination of the Institution of Mechanical Engineers; or

(*h*) a pass in the Associate examination of the Bengal Engineering College in Mechanical Engineering; or

(*i*) the Civil or Mechanical Engineering Certificate of the College of Engineering, Guindy, obtained in or before 1938.

SCHEDULE I.

B.E. of the Bombay University.

B.E. of the Calcutta University (College of Engineering, Sibpur).

B.E. of the Madras University.

B.Sc. (Engineering) of the Benares Hindu University.

B.E. of the Mysore University.

SCHEDULE II.

Oxford.—B.A. with Honours in the Engineering Science Final Honours School.

Cambridge.—B.A, with Honours in Mechanical Science Tripos or ordinary degree (B.A.) in Engineering, provided the graduate has passed in the principal subjects, Engineering I, Engineering II and Engineering III.

St. Andrews.—B.Sc. in Engineering (Honours or Ordinary degree).

Glasgow.—B.Sc. in Civil or Mechanical Engineering (Honours or Ordinary degree).

Edinburgh.—B.Sc. in Engineering (Honours or Ordinary degree).

Dublin.—B.A. I (Ordinary or with Honours in Engineering).

Durham.—B.Sc. in Civil or Mechanical Engineering (Honours or Ordinary degree).

London.—B.Sc. (Internal degree) in Engineering, Ordinary or with Honours [not including the B.Sc. in Engineering (Mining) or the B.Sc. in Engineering (Metallurgy)]. The external degree is also accepted to the same extent, provided it is recognized by the Institution of Civil Engineers as exempting from sections A and B of the A.M.I.C.E. examination.

Victoria University, Manchester.—B.Sc. in Engineering (Honours degree or Ordinary degree) obtained in and after 1920. B.Sc. Technical in Mechanical Engineering (Higher course degree or Ordinary course degree with a first division pass in the Final Examination).

Birmingham.—B.Sc. in Civil or Mechanical Engineering (Honours or Ordinary degree).

Liverpool.—B. Engineering in Civil or Mechanical Engineering (Honours or Ordinary degree).

Leeds.—B.Sc. in Civil or Mechanical Engineering (Honours or Ordinary degree).

Sheffield.—B. Engineering in Civil or Mechanical Engineering (Honours degree or Ordinary degree with a first class in the Final Examination). A first class in the Final Examination will not be required in the cases of degrees obtained in or after June 1930.

Bristol.—B.Sc. in Civil or Mechanical Engineering (Honours or Ordinary degree).

University of Wales.—B.Sc. in Civil or Mechanical Engineering.

National University of Ireland.—B.E.

Queen's University, Belfast.—B.Sc. in Engineering.

Aberdeen.—B.Sc. in Engineering (Honours or Ordinary degree).

NOTE.—The above degrees will be accepted only if taken after three years' study and the passing of the regular examinations in the several Universities. The conditions as to three years' study will not, however apply to Indians, who having taken an Indian degree, which exempts them from part of the University course, shall have taken one of the above degrees in less than three years in accordance with the regulations of the University concerned.

ANNEXURE II.

Scheduled Classes.

[Referred to in clause (11) of rule 1.]

Race, tribe or caste.

1 Adi-Andhra.
2 Adi-Dravida.
3 Adi-Karnataka.
4 Ajila.
5 Aranadan (also * P.T.).
6 Arunthuthiyar.
7 Baira.
8 Bakuda.
9 Bandi.
10 Bariki.
11 Battada.
12 Bavuri.
13 Bellara.
14 Byagari.
15 Chachati.
16 Chakkiliyan.
17 Chalavadi.
18 Chamar.
19 Chandala.
20 Charuman.
21 Dandasi.
22 Devendrakulathan.
23 Dombo (also *P.T.).
24 Ghasi.
25 Godagali.
26 Godari.
27 Godda.
28 Gosangi.
29 Haddi.
30 Hasla.
31 Holeya.
32 Jaggali.
33 Jambuvulu.
34 Kadan (also * P.T.).
35 Kalladi.
36 Kanakkan.
27 Karimpalan (also * P. T.).
38 Kattunayakan (also * P. T.).
39 Kodalo.
40 Koosa.
41 Koraga.
42 Kudiya (also * P. T.).
43 Kudubi (also * P.T.).
44 Kudumban.
45 Kuravan.
46 Kurichchan (also * P.T.).
47 Kuruman (also * P.T.).
48 Madari.
49 Madiga.
50 Maila.
51 Mala.
52 Mala Dasu.
53 Malasar (also * P.T.).
54 Matangi.
55 Mavilan (also * P.T.).
56 Moger.
57 Muchi.
58 Mundala.
59 Nalakayava.
60 Nayadi.
61 Pagadai.
62 Paidi.
63 Painda.
64 Paky.
65 Pallan.
66 Pambada.
67 Pamidi.
68 Panchama.
69 Paniyan.
70 Panniyandi.
71 Pano (also * P.T.).
72 Paraiyan.
73 Paravan.
74 Pulayan.
75 Puthirai Vannan.
76 Raneyar.
77 Relli.
78 Samagara.
79 Samban.
80 Sapari.
81 Semman.
82 Thoti.
83 Tiruvalluvar.
84 Valluvan.
85 Valmiki.
86 Vettuvan.

* P.T. = Primitive Tribe.

THE MADRAS LEGISLATIVE ASSEMBLY

Monday, the 12th December 1938.

The House met in the Assembly Building, Chepauk, at three of the clock, Mr. Speaker (THE HON. SRI B. SAMBAMURTI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Alleged objectionable activities of socialists in Chervathur, South Kanara.

* 505 *Q.*—KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether the Government have received any wire or petition from the people of Chervathur and other villages in South Kanara complaining against the high handed action of some people calling themselves as Karshiks, or Socialists or Comrades;

(*b*) whether the Collector or the District Superintendent of Police of South Kanara has made any report to Government about their activities; and

(*c*) if so, whether the Government have taken any and what action in the matter?

THE HON. SRI C. RAJAGOPALACHARIAR:—" (*a*) The answer is in the negative.

" (*b*) & (*c*) Such reports, if any, are confidential and cannot be disclosed and so also as to action taken thereon."

SRI P. R. K. SARMA:—" May I know, Sir, whether the Government have instructed the police to watch the activities of socialists and report periodically? "

MR. SPEAKER:—" I do not think that any supplementary questions can arise out of the answer given by the Hon. the Prime Minister. The first part of the answer is that the answer is in the negative and the second part is that the reports are confidential."

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Enquiry made into the conduct of the Sub-Inspector of Police, Badagara, in respect of allegations of extortion made in the complaint of one, Mr. Anandan.

*506 *Q.*—SRI C. K. GOVINDAN NAYAR: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether it is a fact that a departmental enquiry was held recently into the conduct of the Sub-Inspector of Police, Badagara, in respect of allegations of extortion made against him by one, Mr. Anandan on 2nd February 1938;

(*b*) whether it is a fact that the complainant who did not know English, was not allowed to represent himself through an agent acquainted with the English language during the enquiry;

(*c*) whether all the witnesses cited by the complainant were examined by the Enquiring Officer; if not, why not;

(*d*) whether it is a fact that the complainant was not present when evidence on behalf of the Sub-Inspector was being recorded;

(*e*) whether it is a fact that the Sub-Inspector was allowed to appear through an advocate and argue on his behalf; and

(*f*) whether it is a fact that this enquiry took about eight or nine months?

THE HON. SRI C. RAJAGOPALACHARIAR:—" (*a*) The answer is in the affirmative.

" (*b*) The complainant has signed his statement in English and written in his own hand ' read over and found it correct '."

" (*c*) *to* (*f*) It is true that the enquiry has taken eight months to complete. Both sides were obstructive and the Government are of opinion that the Deputy Superintendent of Police was weak in permitting the obstructive tactics to be successful. All the witnesses cited by the complainant were examined. Seventeen witnesses were examined by the Police Inspector during the preliminary enquiry and eighteen witnesses were examined by the Deputy Superintendent in the departmental enquiry. The complainant was served with several notices requesting him to be present at the examination of the Sub-Inspector's witnesses. But he chose to be absent. It is true that the Sub-Inspector engaged a vakil at the time of his argument before charges were framed. It was probably considered just and proper to allow the privilege as the Sub-Inspector was in the position of an accused person."

SRI E. KANNAN:—" May I know, Sir, why that privilege was refused to the complainant? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" In the departmental enquiry, Sir, the particular Sub-Inspector is in the position of an accused person and the complainant is in the position of a prosecutor."

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Applications from certain Oriya Government servants in Orissa for transfer to Madras.

* 507 *Q.*—SRI P. SYAMASUNDARA RAO: Will the Hon. the Prime Minister be pleased to state whether it is a fact that a large number of Oriyas (Government servants) who had originally chosen to remain in Orissa are now applying for transfer to Madras?

THE HON. SRI C. RAJAGOPALACHARIAR:—"The Government have no definite information as to whether a number of Oriya Government servants transferred from Madras to Orissa who are now applying for transfer to Madras originally expressed their willingness to remain in Orissa. But the rules issued by the Government of India under His Majesty in Council's 'Government of India Order, 1936,' confer on a transferred officer the right to elect to revert to Madras within two years from the date of his first employment under the Government of Orissa. The period has since been extended up to the 31st December 1938. The Government of Madras are, it is understood, bound to take back an officer who has so elected to revert."

Conviction and sentence passed on persons involved in the prosecutions launched for anti-Hindi agitation.

* 508 *Q.*—SRI RAO BAHADUR M. C. RAJAH: Will the Hon. the Prime Minister be pleased to state—

(*a*) the number of prisoners arrested up to date for agitating against the introduction of Hindi as a compulsory subject;

(*b*) how many of them have been sentenced; and

(*c*) the maximum and the average punishment given to those prisoners?

THE HON. SRI C. RAJAGOPALACHARIAR:—"(*a*) No one has been convicted for agitating against the introduction of Hindi as a compulsory subject.

"(*b*) & (*c*) Do not arise."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"Am I to understand, Sir, whether the various convictions that have been going on day by day are not cases of agitation against the introduction of Hindi?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"The convictions are cases of persons who have been tried and convicted for causing criminal annoyance and disturbance to the Prime Minister and his family or to the teachers and students of a certain school in Madras, the latter programme leading to communal hooliganism and destruction of property in the streets."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"May I ask, Sir, if the Government are of opinion that all these things which

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the Hon. the Prime Minister has detailed at such length have no connexion with the compulsory introduction of Hindi?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"I do not say that it has no connexion. But the persons were not arrested for agitating against the introduction of Hindi as a compulsory subject. The question has been framed in a disingenuous manner."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"Is it the idea of the Government that these convictions have nothing to do with the anti-Hindi agitation?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"It has much to do. But the procedure was wrong and it became offensive. To the agitation itself, the Government have no objection and the Government would not have arrested any person for it."

Proposals, if any, for the repeal of the Criminal Law Amendment Act.

* 509 *Q.*—SRI RAO BAHADUR M. C. RAJAH: Will the Hon. the Prime Minister be pleased to state whether there is any immediate intention on the part of Government to repeal the Criminal Law Amendment Act under whose provisions the anti-Hindi agitators have been arrested and sentenced?

THE HON. SRI C. RAJAGOPALACHARIAR:—"The Government will make proposals in regard to the matter as soon as they are ready. There is no intention to take up the question at this session."

Proposals for the transfer of the control of the Prosecuting staff of the Police department.

* 510 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether the Government have considered the question of placing Prosecuting Sub-Inspectors and Inspectors under some authority other than the Police department itself; and

(*b*) if so, what that decision is?

THE HON. SRI C. RAJAGOPALACHARIAR:—"(*a*) & (*b*) The question is under the consideration of the Government."

Policy, if any, of the Ministry toward the anti-Hindi movement.

* 511 *Q.*—SRI RAO BAHADUR M. C. RAJAH: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether it is a fact that the Hon. Mr. Yakub Hasan, Minister for Public Works, in the course of his tour in the districts

of the Presidency, declared that the present Ministry were going to crush the anti-Hindi movement;

(*b*) whether this is the object of the present Ministry;

(*c*) if so, whether the Government think that it is a legitimate object; and

(*d*) how far they have succeeded in this object?

THE HON. SRI C. RAJAGOPALACHARIAR:—" (*a*) It is not a fact.

" (*b*) & (*c*) The Government intend to give full effect to their decision to make the acquisition of a working knowledge of Hindustani a part of the regular course of studies in schools, and to overcome any attempt to frustrate this intention by unlawful means adopted by persons whose views carry no authority in educational matters.

" (*d*) This is a matter of opinion."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—" Has the attention of the Hon. the Prime Minister been drawn to the report of the speech of the Minister for Public Works about the crushing of the anti-Hindi movement."

THE HON. SRI C. RAJAGOPALACHARIAR:—" The matter has been looked into and that is why I said that the supposition in clause (*a*) of the question is not a fact. And I have answered what exactly the Hon. the Minister said and what the Government mean in my answer to clauses (*b*) and (*c*). The position is perfectly clear but if in the question the language used is crushing the agitation, the answer is in the negative."

Request of the Andhra Mahasabha to interview Lieutenant-Colonel Muirhead, Under Secretary of State for India.

*512 *Q*.—SRI GRANDHI VENKATA REDDI: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether it was the Local Government which fixed the programme of tour in this Province for Lieutenant-Colonel Muirhead, Under Secretary of State for India;

(*b*) whether it is a fact that the Andhra Mahasabha desired to interview Lieutenant-Colonel Muirhead, on the question of the formation of a separate Province for the Andhras;

(*c*) whether the request was not granted; and

(*d*) if so, what the reasons are?

THE HON. SRI RAJAGOPALACHARIAR:—" (*a*) The answer is in the negative.

" (*b*) A letter was received from the Secretary of the Andhra Mahasabha to that effect.

" (*c*) & (*d*) Colonel Muirhead's visit was a private one and it was not permissible to arrange for the presentation of any addresses or deputations."

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Tour programme of Lieutenant-Colonel Muirhead, Under Secretary of State for India.

* 513 *Q.*—SRI GRANDHI VENKATA REDDI: Will the Hon. the Prime Minister be pleased to state what places Lieut. Col. A. G. Muirhead, Under Secretary of State for India, is visiting in this Province?

THE HON. SRI C. RAJAGOPALACHARIAR:—"I believe that Lieutenant Colonel Muirhead has visited Madras, Trichinopoly, Srirangam and the Salem district, and cancelled his programme in respect of the interesting temples at Mahabalipuram and Conjeeveram. I gathered all this from the newspapers." (Laughter.)

Representations for the discontinuance of the procedure demanding annual applications for the cultivation of high level lankas.

* 514 *Q.*—SRI KALA VENKATA RAO: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether the Hon. the Minister received any representation requesting the Government to dispense with annual applications that are still demanded from the ryots seeking permission to cultivate high level lankas in the lower course of the river Godavari with crops like tobacco, etc.; and

(*b*) what action has been taken thereon?

THE HON. SRI T. PRAKASAM:—"(*a*) The answer is in the negative. No such applications are required.

"(*b*) The question does not arise in view of the answer to clause (*a*)."

Action taken on the representations of local boards and municipalities regarding the assignment by the Government of all unobjectionable encroachments vesting in local boards and municipalities.

* 515 *Q.*—SRI P. SYAMASUNDARA RAO: Will the Hon. the Minister for Revenue be pleased to state whether the Government have received any representations that as a result of assigning on market value all unobjectionable encroachments vesting in municipalities and local boards under G.O. Ms. No. 2303, Revenue, dated 8th November 1934, local authorities are being deprived of their legitimate revenue under encroachment fees, and if so, how they have been disposed of?

THE HON. SRI T. PRAKASAM:—"In G.O. No. 2303, Revenue, dated 8th November 1934, the Government directed that encroachments of an unobjectionable nature which could not be ignored should be withdrawn from the control of the local body and assigned by the Revenue Department under the rules after the expiry of the subsisting leases or licences.

In April 1935, the President, District Board, South Kanara, objected to the above orders on the ground that the local bodies would lose a source of recurring revenue. He was informed that his objection was not valid as a local body had no legitimate claim to retain under its control poramboke lands which were no longer required for the purpose for which they vested in the local body."

Failure of samba crops in Polagudi village, Nannilam taluk, Tanjore district.

* 516 *Q.*—SRI P. R. K. SARMA: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether it is a fact that samba crops, in No. 18, Polagudi village, Nannilam taluk, Tanjore district, have partially failed on account of the failure of the monsoon;

(*b*) whether the Government have received any report from the District Collector on this matter; and

(*c*) if not, whether a report will be called for to see whether and to what extent remission on this account is necessary and should be given?

THE HON. SRI T. PRAKASAM:—" (*a*) The Government have no information.

" (*b*) & (*c*) No report has been received by the Government. The Government do not consider it necessary to call for any report as the district authorities are empowered to grant remission of net assessment in the event of a failure of crops owing to adverse seasonal conditions."

Measures to relieve agricultural distress in South Arcot district.

* 517 *Q.*—SRI S. CHIDAMBARA AYYAR: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether he is aware that there has been failure of wet and dry crops in most portions of South Arcot district (except well-irrigated areas) as a result of failure of rain for a continuous period during the past two months and more; and

(*b*) what measures Government propose to take to relieve the distress?

THE HON. SRI T. PRAKASAM:—" (*a*) The Government are aware that the seasonal conditions in the South Arcot district have not been satisfactory.

" (*b*) A detailed report has been called for from the Collector of South Arcot and necessary action will be taken on its receipt."

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SRI D. RAMALINGA REDDIYAR:—"Will the Government consider the desirability of immediately allowing the cultivators to cut and take away the standing crops which have become withered owing to the failure of seasonal rains in the districts?"

THE HON. SRI T. PRAKASAM:—"That cannot be permitted till the azmaish is done."

SRI D. RAMALINGA REDDIYAR:—"Will the Government take necessary steps immediately to make arrangements for the azmaish being completed at an early date?"

THE HON. SRI T. PRAKASAM:—"Yes, certainly."

Expenditure by the River Conservancy Department on account of the Dowlaishwaram Headworks Division.

*518 *Q.*—SRI KALA VENKATA RAO: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) the amount of money spent by the River Conservancy Department each year from 1927 to March 1938 in the Dowlaishwaram Headworks Division;

(*b*) whether it is a fact that there was a definite fall in the expenditure during last year;

(*c*) if so, what the decrease is due to;

(*d*) whether the directions contained in the Chief Engineer's Circular Memorandum No. 2354-38 A.E.P., dated 18th August 1938, are being followed in the Division;

(*e*) whether it is a fact that the erosion was swift and unprovided for at Ballipadu, Ramachandrapuram, Pedapatnam, Peravaram old bund, Vaddiparru and Pata Injara; and

(*f*) what action the Government propose to take to rectify this state of affairs?

THE HON. MR. YAKUB HASAN:—"(*a*) A statement[a] furnishing the information asked for is laid on the table of the House.

"(*b*) The answer is in the affirmative.

"(*c*) The amount of work done and the expenditure incurred depends on the intensity of floods and the extent of damages caused thereby and these vary from year to year. The Godavari river stood above 8 feet over the anicut for only 6 days in 1937 against 11 days in 1936 and 10 days in 1935 and this accounts for the decrease in expenditure in 1937–38.

"(*d*) The answer is in the affirmative.

"(*e*) & (*f*) There has been erosion to a certain extent due to floods in the places mentioned and such action as has been

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[a] Printed as Appendix I on page 887 infra

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found necessary in the interests of irrigation and conservancy has been and will be undertaken by Government. These works may serve to prevent erosion to a degree. The Government do not accept liability for the protection of villages from floods and it is the duty of the ryots to carry out such works as may be necessary and maintain them."

SRI KALA VENKATA RAO :—" Is it a fact, Sir, that none of the works mentioned in (*e*) have been touched for the past so many years? "

THE HON. MR. YAKUB HASAN :—" I have not mentioned any works in (*e*)."

SRI KALA VENKATA RAO :—" When the Hon. the Minister has personally visited places . . ."

THE HON. MR. YAKUB HASAN :—" But I have not mentioned any works in the answer to clause (*e*). I have simply said: There has been erosion to a certain extent due to floods and so on."

Scheme, if any, for the improvement of the sanitary condition of the Cooum river in the City of Madras.

*519 *Q.*—SRI V. M. RAMASWAMI MUDALIYAR: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) what steps have been taken to keep the river Cooum (Madras City) in a sanitary condition;

(*b*) whether any scheme was approved by the Government to improve the Cooum, and if so, what it is;

(*c*) whether any money has been spent, and the nature of the work done so far in this regard; and

(*d*) why the Government have not compelled the concerned authority to improve the sanitary condition of the Cooum?

THE HON. MR. YAKUB HASAN :—" (*a*) The insanitary condition of the Cooum is entirely due to the foul drainage that flows into it and to a lesser degree to the defilement of the margins by the people. The Corporation of Madras have been told that the only way to keep the Cooum in a sanitary condition is to prevent any drainage from passing into it and that body has been asked to take steps to devise and execute a system of intercepting drains and sewers and to arrange with the Commissioner of Police for the prevention of the commission of nuisance on the margins.

" (*b*) & (*c*) A scheme costing Rs. 1,78,500 consisting of pumping sea water into the river to raise its level so as to burst the sand bar at its mouth and thereby flush the river was sanctioned by Government; but it was found not possible to burst the bar without manual labour. The level of the water in

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the river is, therefore, now maintained at a certain minimum level. If the level of the water falls below that minimum level, sea water is pumped into the river.

"(d) The Corporation have suggested the expediency of the question of improvements to the Cooum (including certain recommendations made by one Dr. Fowler) being discussed by the Engineering and the Public Health authorities of both the Government and the Corporation at a conference. Concrete and definite proposals for discussion at the proposed conference have been called for from the Corporation and are awaited."

SRI V. M. RAMASWAMI MUDALIYAR:—" May I know whether the Government have the statutory authority to interfere and see that the proposals called for can be expedited by the Corporation?"

THE HON. MR. YAKUB HASAN:—" The question of Government taking the statutory authority will be examined."

Negotiations with the Government of Mysore in the matter of the failure of freshes in the Palar river.

* 520 Q.—SRI V. M. RAMASWAMI MUDALIYAR: Will the Hon. the Minister for Public Works be pleased to state—

(a) what progress has been made to complete the investigation of the failure of freshes in the Palar river (North Arcot and Chingleput districts);

(b) whether any negotiations have been started with the Mysore Government;

(c) whether all the statistics called for from the Mysore Government have been furnished;

(d) when the statistics were called for and what reply has been received in that regard;

(e) if the Mysore Government has been evading or neglecting to furnish the statistics, what steps the Government propose to take to enforce the terms of the agreement;

(f) whether the Government propose to reconstitute the committee of enquiry in order to bring its report to a completion; and

(g) when the preliminary report of the committee was sent and why there was no final report?

THE HON. MR. YAKUB HASAN:—" (a) The reports received from the Chief Engineer for Irrigation and the Board of Revenue are under consideration and orders will be issued as early as possible.

" (b) The matter has been under correspondence with the Mysore Government since April 1931.

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"(c) & (d) Statistics were first called for by this Government in April 1931 at the instance of the Palar Irrigation Enquiry Committee in respect of the capacity and ayacut of all tanks in the Palar catchment in Mysore in 1892, 1897, 1902 and 1931. In April 1932 the Mysore Government stated that it would involve a good deal of labour and expense to collect the statistics for about 1,500 tanks over a period of 39 years and offered to furnish such information as was available in regard to any particular tank or tanks in the basin. Later on, as a result of a conference held in September 1933 between the representatives of the two Governments, the Mysore Government undertook to examine whether, and to what extent, it was possible to supply the information asked for by this Government and at what cost. Certain particulars were received from that Government in September 1935 in respect of 14 tanks in the main valley of the Palar river and that Government stated that the collection of similar information for all the 1,500 tanks in the Palar catchment would involve an expenditure of Rs. 10,000 on a special Engineering and Revenue Department staff. These statistics were examined by the Chief Engineer and Board of Revenue who suggested that information should be obtained from Mysore regarding the present Full Tank Level sill of the lowest sluice, length of the surplus escape, etc., and gauge readings with full particulars of the dates of surplus, etc., of eight tanks out of the fourteen tanks on the main river for which statistics were furnished. These were called for from the Mysore Government in August 1936 and received in March 1937. The reports of the Chief Engineer and Board of Revenue on these statistics have been received and are under consideration.

"(e) This Government is using every influence with Mysore that is exercisable within the terms of the agreement.

"(f) & (g) The question of reconstituting the committee will be considered after the examination of the reports is completed and after a decision is arrived at. The preliminary report of the committee was received in February 1931. As the committee did not meet after submitting its preliminary report, there was no final report."

SRI V. M. RAMASWAMI MUDALIYAR:—"Is it a fact that the committee did not meet finally but drafted a report wherein they called for certain information, and that information has not been furnished?"

THE HON. MR. YAKUB HASAN:—"It is a fact there was delay in receiving information from the Mysore Government. But now information has been received to a certain extent and it is being examined."

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SRI V. M. RAMASWAMI MUDALIYAR:—"Will the Government consider favourably the question of reconstituting that committee in order to allay the agitation in the minds of the ryots of North Arcot and Chingleput districts?"

THE HON. MR. YAKUB HASAN:—"As I have already stated, the question of reconstituting the committee will be considered after the examination of the report."

Introduction of a uniform rate for the supply of electricity in the Ramnad district.

*521 *Q.*—SRI V. S. R. M. VALLIAPPA CHETTIYAR: Will the Hon. the Minister for Public Works be pleased to state whether the Government will consider the desirability of introducing a uniform rate for the supply of electricity in the Ramnad district?

THE HON. MR. YAKUB HASAN:—"Government have sanctioned schemes for the extension of the Pykara power to the Ramnad district. As soon as work on the transmission lines is completed, bulk supply will be made to the licensees operating in the area, and steps will be taken to introduce uniform rates under all the licences in the district as far as possible."

Repairs to the breaches caused to the Kovvadu kalava in Polavaram Island, East Godavari.

*522 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether the bund of the stream called Kovvadu Kalava in Polavaram division breached in 1933 causing great damage to the crops year after year;

(*b*) whether the people affected thereby gave several petitions to the Sub-Collector and Agent to the Provincial Government; and

(*c*) what steps, if any, have been taken or are proposed to be taken by Government to have the breach in the bund repaired?

THE HON. MR. YAKUB HASAN:—"The Government have no information but have called for a report."

Extent and ayacut of the Thimmaraju tank in East Godavari.

*523 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether there is a tank known as the Thimmaraju tank in Peddapur taluk, East Godavari;

(b) when this tank was constructed;

(c) the area of the bed of the tank;

(d) the villages it irrigates; and

(e) the extent of such irrigation?

THE HON. MR. YAKUB HASAN:—" (a) The answer is in the affirmative.

" (b) The tank is said to have been formed in A.D. 1699.

" (c) The area of water spread at Full Tank level of the tank is 68·609 million square feet.

" (d) The villages irrigated are Lingamparti, Yeleswaram, Peravaram, Bhadravasam, Yeleru and Siripuram of Peddapur taluk.

" (e) The ayacut of the tank is 4,839 acres."

Development of electricity in suitable areas.

* 524 Q.—SRI K. V. R. SWAMI: Will the Hon. the Minister for Public Works be pleased to state—

(a) what the eighteen places which are now considered suitable (ref. starred question No. 21 of 15th August 1938) for the development of electricity are; and

(b) which of these places have been brought into operation?

THE HON. MR. YAKUB HASAN:—" (a) The names of the 18 sites are—

1 Pykara (Nilgiris).
2 Cholatipuzha (Malabar district-Nilgiris border).
3 Moyar (Nilgiris).
4 Mekadatu Cauvery (Mysore-Coimbatore border).
5 Kumbar Upper Palnis (Madura district).
6 Kundah (Nilgiris).
7 Papanasam-Tambraparni (Tinnevelly district).
8 Silent Valley (Malabar district).
9 Kallar Cardamam Hills (Madura district).
10 Mettur Cauvery (Salem district).
11 Thalipuzha (Malabar district).
12 Periyar (Madura district).
13 Lammasinghi (Vizagapatam district).
14 Tungabadra (Bellary district).
15 Chettipet Canal Falls (West Godavari district).
16 Kolab }
17 Tetligunna } transferred to Orissa Province.
18 Machkand }

" (b) Pykara and Mettur have been brought into operation and the construction of the Papanasam scheme has begun."

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Application of the Minor Ports Trust Fund for improving the minor ports.

* 525 *Q.*—H. S. HUSSAIN SAHIB BAHADUR: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether there is any trust fund belonging to the minor ports in this province in the hands of the Government and if so, how much;

(*b*) from what source this trust fund has been constituted or accumulated and for what purpose;

(*c*) whether any provision out of this fund has been made for the improvement of these ports and if so, how much, when, and for which ports;

(*d*) how much has been spent so far for improving all or any of the ports in South Kanara;

(*e*) whether the Government have instituted any enquiry into the present condition of the minor ports in South Kanara; and

(*f*) whether any representations have been received by the Government from South Kanara for improving its minor ports and what action the Government propose to take in the matter?

THE HON. MR. YAKUB HASAN:—" (*a*) There is no such trust fund. The hon. Member presumably refers to the Minor Ports Fund, but this is not a trust fund. This Minor Ports Fund is expected to close with a balance of 58·89 lakhs at the end of the current official year.

" (*b*) The attention of the hon. Member is invited to section 36 of the Indian Ports Act, 1908.

" (*c*) & (*d*) Free grants have been given in the past from the Minor Ports Fund to the various Landing and Shipping Funds (e.g., improvements to landing and shipping road and channel at Adirampatnam; purchase of suction dredgers at Mangalore and Cuddalore). Similarly, loans have been given to the Cocanada, Tuticorin, Tellicherry, Negapatam, Calicut and Malpe Landing and Shipping Funds in the past. Details have been called for from the Presidency Port Officer.

" (*e*) The Government have not recently instituted any enquiry. The Presidency Port Officer has, however, investigated the matter and submitted proposals for improvements to the ports of Mangalore, Malpe, Hangarkatta and Gangolli-Coondapoor.

" (*f*) Yes. These representations are under consideration."

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Representations for throwing open the minor port at Vadarevu, near Chirala, for sea-borne commerce.

* 526 *Q.*—SRI KONDA VENKATAPPAYYA: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether the resolution passed at a public meeting of the merchants and other inhabitants of Chirala was submitted to the Government requesting that the minor port of Vadarevu in the neighbourhood of Chirala be declared open for foreign exports, and that a pier be constructed for facilitating shipments and landings; and

(*b*) if so, whether the Government propose to take any steps in that direction?

THE HON. MR. YAKUB HASAN:—"(*a*) & (*b*) Yes; the matter is under consideration of Government."

Representations about the short cut from Godilanka to the lower Cowsika drain in the Godavari Central Delta.

* 527 *Q.*—SRI KALA VENKATA RAO: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether the Hon. the Minister received a representation from the villagers of Godilanka in Godavari Central Delta about the short cut to the lower Cowsika drain during his recent tour;

(*b*) the stage at which the proposal is; and

(*c*) whether the work will be completed before closure of canals in the area for the second crop this year?

THE HON. MR. YAKUB HASAN:—"(*a*) The answer is in the affirmative.

"(*b*) & (*c*) The under-tunnel under the Mogallamari channel has been built and the drain has been partly dug in poramboke. Further work has been stopped pending further examination."

Absorption of the superintendents and clerks in the offices of the Chief Engineers drawing Secretariat scales of pay into the Public Works Department Secretariat.

* 528 *Q.*—ABDUL HAMEED KHAN SAHIB BAHADUR: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) how many superintendents and clerks drawing secretariat scales of pay were left in the Chief Engineers' offices when the Public Works Department Secretariat was newly constituted in 1925;

(*b*) whether it was then the intention of Government to absorb these hands into the Secretariat gradually;

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(*c*) how many of those hands have so far been so absorbed, and why the rest have not yet been absorbed; and

(*d*) how many superintendents and clerks have been sanctioned for the Public Works Department Secretariat over and above the staff initially sanctioned in 1925, and whether each time the additions were sanctioned, the claims of the hands in the Chief Engineers' offices remaining to be absorbed in the Secretariat, were considered?

THE HON. MR. YAKUB HASAN:—" (*a*) Six superintendents and 52 clerks drawing the Secretariat scales of pay were left in the Chief Engineers' offices, when the Public Works Secretariat was constituted in 1925.

" (*b*) The intention of the Government was that if further staff was required or if vacancies arose in the new Public Works Secretariat suitable men, if available, should be recruited from the Chief Engineers' offices.

" (*c*) One superintendent and 7 clerks were absorbed subsequently. The rest were not absorbed as the Chief Engineer was not willing to spare any of the other clerks.

" (*d*) In August 1925, an additional staff of one superintendent and two upper division clerks was sanctioned and the whole staff was drawn from the Chief Engineer's Office. One upper division clerk was sanctioned in 1929 and in view of the Chief Engineer's report in 1928, no fresh demand was made on the Chief Engineer's Office."

Number of appointments of clerks made in the office of the Chief Engineer for Irrigation since 1925 from outside offices and by promotion over seniors.

* 529 *Q.*—ABDUL HAMEED KHAN SAHIB BAHADUR: Will the Hon. the Minister for Public Works be pleased to state how many appointments were made in the office of the Chief Engineer for Irrigation, from 1925 (1) by recruiting clerks from outside that office and (2) by promoting existing clerks over their seniors?

THE HON. MR. YAKUB HASAN:—" The number of appointments made in the office of the Chief Engineer for Irrigation from 1925 (1) by recruiting clerks from outside that office is 3, and (2) by promoting existing clerks over their seniors is 5."

Extension of service granted to members of the Ministerial establishment by the Chief Engineer, Irrigation.

* 530 *Q.*—ABDUL HAMEED KHAN SAHIB BAHADUR: Will the Hon. the Minister for Public Works be pleased to state how many extensions of service to members of clerical establishment over 55 years of age were granted by the Chief Engineer, Irrigation, after 1925, and for how many years?

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THE HON. MR. YAKUB HASAN:—"The Chief Engineer for Irrigation granted extensions of service over 55 years to five members of the clerical establishment of his office after 1925. The periods of extension ranged from two to three years."

Ineligibility of lower division clerks officiating against upper division vacancies in the offices of the Chief Engineers to draw the officiating allowance according to the upper division scale of pay.

* 531 *Q.*—ABDUL HAMEED KHAN SAHIB BAHADUR: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether it is a fact that lower division clerks officiating in upper division vacancies in the Chief Engineers' offices are not allowed to draw the upper division scale of pay; and

(*b*) if so, what the intention is of Government in laying down this rule?

THE HON. MR. YAKUB HASAN:—"(*a*) The answer is in the affirmative.

"(*b*) A Government servant holding a lower post and promoted to officiate in a higher post is allowed to draw the pay of the higher post only if the promotion involves the assumption of duties and responsibilities of greater importance than those attaching to the lower post. This principle is not satisfied in the case of lower division clerks officiating in upper division posts in the Chief Engineers' offices."

Repairs to the Periakulam irrigation tank in Vayali village, Sankarankoil taluk.

* 532 *Q.*—SRI P. CHINNAMUTHU: Will the Hon. the Minister for Public Works be pleased to state with reference to the ruined "Periakulam" irrigation tank in Vayali village, Sankarankoil taluk, Tinnevelly district—

(*a*) whether representations have been received by Government from the villagers for the restoration of the tank;

(*b*) whether the ryots of Vayali village have made representations to the district officers from time to time in the matter;

(*c*) what action has been taken by Government in regard to the restoration of the tank;

(*d*) whether any investigation has been made into the practicability of the scheme of late or on a prior occasion; and

(*e*) what the results of the investigation and the disposal by the district officials on the representations are?

THE HON. MR. YAKUB HASAN:—"(*a*) The answer is in the negative.

"(*b*) The answer is in the affirmative.

"(c) to (e) The local officers are considering the question of restoration of the tank. The Government have not received their reports."

The Coringa Island Irrigation Project.

* 533 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Public Works be pleased to state with reference to the answer to question No. 68, dated 18th August 1938, regarding the Coringa Island Irrigation Project—

(*a*) whether the report referred to therein has been received from the Chief Engineer; and

(*b*) if so, what his recommendations are?

THE HON. MR. YAKUB HASAN:—"(*a*) & (*b*) The Chief Engineer's report has not yet been received."

Defalcation of the elementary education fund in the District Board, Malabar.

* 534 *Q.*—KHAN BAHADUR P. M. ATTAKOYA THANGAL SAHIB BAHADUR: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether the facts concerning the defalcation in the elementary education department of the Malabar District Board had been brought to the notice of the Government;

(*b*) if so, what the total amount involved in the defalcation is;

(*c*) how many of the individuals involved in it have been charged and convicted; and

(*d*) whether any steps are being taken to recover the amount?

THE HON. DR. P. SUBBARAYAN:—"(*a*) Yes.

"(*b*) Amount Rs. 9,000.

"(*c*) One.

"(*d*) Yes; the matter is being investigated by the Inspector of Municipal Councils and Local Boards."

Measures for giving military training to students in schools and colleges of this Province.

* 535 *Q.*—SRI V. VENKATASUBBAYYA: Will the Hon. the Minister for Education and Legal Departments be pleased to state whether any and what steps have been taken to give military training to students in the educational institutions of the province?

THE HON. DR. P. SUBBARAYAN:—"No steps have been taken as yet beyond the present position under which the 5th (Madras) Battalion, University Training Corps, provides military training for students of colleges."

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SRI V. VENKATASUBBAYYA:—"May I know, Sir, whether there is any intention of introducing military training at least in some of the schools in the Presidency in the near future?"

THE HON. DR. P. SUBBARAYAN:—"If the hon. Member wants any further information he should put the question to the Hon. Minister in charge of Public Defence, who happens to be the Hon. the Prime Minister at this time."

Alleged disapproval of the District Educational Officer, Ramnad, of the proposal of the North and South Ramnad District Boards for the opening of additional schools in the district.

* 536 Q.—SRI V. S. R. M. VALLIAPPA CHETTIYAR: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether it is a fact that a large number of board schools sanctioned by the Ramnad North and South District Boards could not be opened for want of approval by the District Educational Officer, Ramnad;

(b) if so, the number of such schools and the reasons for not approving them;

(c) whether the District Educational Officer personally visits the villages to acquaint himself with the need for a school before according or refusing his approval for the opening of schools by district boards; and

(d) whether the District Educational Officer adopts the statistics of the population of villages and the school-going children therein from the last census report for giving his approval to the proposals of the district boards?

THE HON. DR. P. SUBBARAYAN:—"(a) & (b) The North Ramnad District Board requested permission for opening 44 elementary schools and the South Ramnad District Board requested permission to open 39 elementary schools. In the case of the North Ramnad District Board permission was refused for eleven schools and in the case of the South Ramnad District Board permission was refused for ten schools.

"In the majority of the cases permission was refused owing to the fact that other schools already existed in the area and in the other cases the population of the centres proposed for new schools was less than 500 and it was considered that preference should be given to centres with a larger population.

"(c) All the villages concerned were not visited by the District Educational Officer, personally, although he visited a few of the villages in the course of his tours.

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"(d) Generally the statistics of the last census were taken into account but in addition the number of children of school-going age was taken from the survey registers maintained by the Deputy Inspector of Schools."

SRI V. M. RAMASWAMI MUDALIYAR:—"Now that the rivalry between the North Ramnad District Board and the South Ramnad District Board has vanished since the two boards have been amalgamated, may I know whether the proposal will be considered afresh?"

THE HON. DR. P. SUBBARAYAN:—"There is no question of rivalry at all. The hon. Member has evidently mistaken the intention of the question."

Proposals for the abolition of District Educational Councils.

* 537 Q.—KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR: Will the Hon. the Minister for Education and Legal Departments be pleased to state whether there is a proposal to abolish the District Educational Council and replace it by a nominated body with the Collector as the President?

THE HON. DR. P. SUBBARAYAN:—"The matter is under consideration."

Proposals for the abolition of the District Educational Councils.

* 538 Q.—SRI KONDA VENKATAPPAYYA: Will the Hon. the Minister for Education and Legal Departments be pleased to state when the proposal to abolish the District Educational Councils will be given effect to?

THE HON. DR. P. SUBBARAYAN:—"The attention of the hon. Member is invited to the answer to starred question No. 537."

SRI V. S. R. M. VALLIAPPA CHETTIYAR:—"May I know why this council, which has been declared by the Hon. Minister as a fifth wheel in the coach long ago, is still allowed to function?"

THE HON. DR. P. SUBBARAYAN:—"Because, Sir, legislation to abolish the councils is under consideration." (Laughter.)

Number of elementary schools transferred to the management of district boards on the abolition of taluk boards.

* 539 Q.—KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) what the number of elementary schools in each district is that were being managed by taluk boards but which were thrown upon the district boards for management after the abolition of the taluk boards;

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(*b*) whether the Government propose to create any other agency for the proper management of the elementary schools; and

(*c*) whether the Government propose to restore the taluk boards?

THE HON. DR. P. SUBBARAYAN :—" (*a*) The hon. Member is referred to the subsidiary table appended to Volume II of the Report on Public Instruction for 1933–34 which give the number of schools that were maintained by taluk boards on 31st March 1934 but were transferred to district boards on 1st April 1934, i.e., the date of abolition of taluk boards.

" (*b*) & (*c*) *The answer is in the negative.*"

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR: —" Is it not a fact, Sir, that the transfer of the elementary schools to district boards has considerably increased the work of the district boards, and this accouuts for the district boards working unsatisfactorily? "

THE HON. DR. P. SUBBARAYAN :—" I thank the hon. Member for the information."

Redress of the grievances of the employees of the Government. Press, Madras.

* 540 *Q.*—ABDUL HAMEED KHAN SAHIB BAHADUR: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether the Government have received representations from time to time ventilating the grievances of employees in the Government Press;

(*b*) whether the Government have at any time appointed a departmental or non-departmental committee to go into the question of administration of the Government Presses with special reference to the grievances of employees;

(*c*) if the answer to (*b*) is in the affirmative, whether he can place on the table of the House the report of the Committee with Government Orders thereon;

(*d*) if the answer to (*b*) is in the negative, the method the Government are following in enquiring into and redressing the grievances of the employees;

(*e*) whether the Government have at any time examined the question as to whether the conditions of service in the Government Presses under them approximate to a great extent with those obtaining in the Government Presses in other provinces and also those of the Government of India Printing Presses;

(*f*) whether the Government have received any representations about the inordinate delay in disposing of the grievances of Government Press employees; and

(*g*) what steps the Government propose to take to redress these grievances?

THE HON. DR. P. SUBBARAYAN :—" (*a*) Yes.

" (*b*) The answer is in the negative.

" (*c*) Does not arise.

" (*d*) Such of the grievances as cannot be redressed by the Superintendent, Government Press, are forwarded to Government for consideration. The Government examine the merits of each case and pass orders.

" (*e*) Yes; in 1919.

" (*f*) & (*g*) The Government have issued orders to the Superintendent, Government Press, to take prompt action in respect of the representations of Government Press Workers' Union."

SRI P. R. K. SARMA :—" May I know, Sir, whether the Government's Order was issued only after the recent strike? "

THE HON. DR. P. SUBBARAYAN :—" The hon. Member is wrong in his presumption."

Status and scale of pay of pandits and munshis in Government Colleges.

* 541 Q.—SRI K. R. KARANT: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether representations have been received by Government from pandits and munshis in Government I and II grade colleges with regard to their salary and status;

(*b*) what the grades of pay given to them are in the colleges referred to above;

(*c*) whether it is a fact that even in private colleges like the Pachaiyappa's, Loyola and the Christian at Madras, the grade of pay is higher than in Government Colleges;

(*d*) whether it is a fact that in the Madras University they are classed as lecturers and given a higher grade of pay; if so, what that grade is;

(*e*) whether the grade of pay in Government II grade colleges for pandits and munshis is inferior to the grade in district board high schools; and

(*f*) whether Government have any proposals to raise the scale of pay and status of pandits and munshis in Government Colleges; if so, what they are and when they are likely to materialize?

THE HON. DR. P. SUBBARAYAN :—" (*a*) The answer is in the affirmative.

" (*b*) *I grade colleges*—Rs. 65—5/2—80 with two posts on Rs. 80—10/2—100.

II grade colleges—Rs. 45—5/2—60.

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" (c) The Government have no information.

" (d) It is presumed that the reference is to the junior lecturers in languages employed by the University of Madras in its research departments. It is understood that the scale of pay of these lecturers is Rs. 150—10—200.

" (e) The scale fixed for pandits in second-grade Government colleges is Rs. 45—5/2—60; in district board high schools Rs. 45—2/2—75.

" (f) There is no such proposal under consideration."

Appointment of an Urdu munshi for the Board High School, Atmakur.

* 542 *Q.*—K. ABDUR RAHMAN KHAN SAHIB Bahadur: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether the Government are aware of the representation made to the Hon. the Premier on his visit to Kurnool by the Muslim deputationists regarding the urgent and immediate need for the appointment of an Urdu munshi for the Board High School, Atmakur, in Kurnool district;

(b) whether it is a fact that the District Board, Kurnool, had also made a similar recommendation to the Government praying for subsidy; and

(c) whether it is a fact that the Government have refused to grant such subsidy, and if so, why?

The Hon. Dr. P. SUBBARAYAN:—" (a) Yes.

" (b) & (c) An application for a subsidy towards the employment of an Urdu munshi in the Board High School, Atmakur, was received by Government but it had to be rejected in accordance with the general policy of the Government whereby secondary school subsidies are treated as lump-sum payments not liable to alteration. In this particular instance, there was the additional ground that the number of Muslim pupils attending classes from the V Class to the VI Form was only 21 and that no class had more than four Muslim pupils."

K. ABDUR RAHMAN KHAN SAHIB Bahadur:—" May I know, Sir, whether the Government are aware of the fact that an application for subsidy was made by the district board for having Urdu munshis in that school? "

The Hon. Dr. P. SUBBARAYAN:—" As I said, the Government cannot increase the subsidies to such bodies; because an increase in subsidy in one locality will result in similar other demands from other localities being made, which cannot be met. But if district boards will consider having an Urdu munshi from their own funds, Government will see what could be done."

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K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—" May I know the amount of increase in expenditure likely to be involved in providing for an Urdu munshi? "

THE HON. DR. P. SUBBARAYAN:—" I am afraid I do not carry mathematical tables with me."

Provision of facilities for games and sports in the Brennen Branch School, Chirakkara, Tellicherry.

* 543 *Q.*—SRI C. K. GOVINDAN NAYAR: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) what the amount of sports fee collected annually from the students in the Government Brennen Branch School, Chirakkara, Tellicherry, is;

(*b*) whether any facilities for sports or games are provided in the school; and

(*c*) if not, whether Government will be pleased to make adequate provision therefor?

THE HON. DR. P. SUBBARAYAN:—" (*a*) About Rs. 300 per annum.

" (*b*) & (*c*) Facilities are provided for certain indoor and out-door games."

Application of the Sri Veda Vyasa Kalasala, Pandita Villuru, West Godavari, for grant-in-aid.

* 544 *Q.*—SRI KALA VENKATA RAO: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) whether there is a school by name Sri Veda Vyasa Kalasala in Pandita Villuru, Narasapur taluk, West Godavari;

(*b*) whether the institution imparts education in Sanskrit and Hindi;

(*c*) whether the District Board, West Godavari, resolved to take over the management but the Government refused sanction;

(*d*) whether the management of the school applied for a grant to the Government and what action the Government took in the matter; and

(*e*) what the policy of the Government is with reference to such institutions?

THE HON. DR. P. SUBBARAYAN:—" (*a*) & (*b*) Yes.

" (*c*) A proposal of the kind was made by the old Narasapur District Board in 1937 but was not accepted by Government.

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"(d) & (e) An application for recognition of the school was recently received and transferred to the Director of Public Instruction for disposal. The Government have no information as to the status or the strength of the school."

Continuation in service of the Assistant Curator, Madras Record Office.

* 545 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state with reference to the answer to the supplementary question to the answer to starred question No. 55 answered on 17th August 1938—

(*a*) whether the question of continuing in service the Assistant Curator whose term came to a close in September 1938 has been considered by the Government; and

(*b*) what the decision is?

The Hon. Dr. P. SUBBARAYAN:—"(*a*) & (*b*) The matter is under consideration."

Imposition of education tax by municipalities.

* 546 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) the number of municipalities in which education tax is levied; and

(*b*) the reasons for not levying such tax in the other municipalities?

The Hon. Dr. P. SUBBARAYAN:—"(*a*) 55.

"(*b*) The need for the levy of the tax is not apparently felt in the other municipalities. Under section 34 (1) of the Madras Elementary Education Act, 1920, it is open to a municipal council to apply for sanction to the levy of the tax."

Sri K. V. R. SWAMI:—"May I know, Sir, whether the Government will induce the other municipalities to levy tax in the interests of compulsory elementary education?"

The Hon. Dr. P. SUBBARAYAN:—"It is a duty cast mainly on the municipalities themselves."

Sri K. V. R. SWAMI:—"Will not Government interfere in the matter, Sir?"

The Hon. Dr. P. SUBBARAYAN:—"Government will interfere only if the procedure adopted by the municipalities is too slow."

Libraries in receipt of Government grant.

* 547 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(*a*) the number of libraries to which any grant has been given by the Government this year; and

(*b*) the total amount given to such libraries?

THE HON. DR. P. SUBBARAYAN:—" (*a*) & (*b*) The Government have not sanctioned any grant for libraries this year. There is no provision in the current year's budget."

Treatment and accommodation of lepers in hospitals.

* 548 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) the policy of the Government in giving treatment and providing accommodation to lepers in hospitals; and

(*b*) whether the Government will consider the advisability of making it compulsory for local bodies to make some provision in this regard?

THE HON. DR. T. S. S. RAJAN:—" (*a*) Patients suffering from leprosy are treated in every hospital or dispensary to which they resort for medical aid just as patients suffering from other communicable diseases are treated. With regard to the admission of such patients in leper asylums the policy of the Government is laid down in G.O. No. 1097, P.H., dated 17th March 1938, a copy [a] of which is laid on the table.

" (*b*) The policy regarding leprosy will soon change to one of experimentation and investigation and the question of enforcing local bodies to provide for leprosy work can be considered when a uniform policy is introduced throughout the Province."

SRI K. V. R. SWAMI:—" May I know, Sir, why this was cancelled, when it was given by the previous Government? "

THE HON. DR. T. S. S. RAJAN:—" For the simple reason that the money required was not available."

SRI G. RANGAYYA NAYUDU:—" Will provision be made in the hospitals under the charge of local bodies for segregating cases of leprosy that come for treatment? "

THE HON. DR. T. S. S. RAJAN:—" Yes, Sir, provision will be made for that."

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[a] Printed as Appendix II on pages 887-888 infra.

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Measures for training midwives for maternity and child welfare work in rural areas.

* 549 *Q.*—SRI D. RAMALINGA REDDIYAR: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) the steps taken for training of Dais (midwives) in rural areas;

(*b*) the measures contemplated by the Government for minimizing risks of mothers during child birth; and

(*c*) whether the Government will impress on local bodies the necessity and importance of devoting further attention than at present to maternity and child welfare work under their jurisdiction?

THE HON. DR. T. S. S. RAJAN:—" (*a*) Government have arranged for training of Dais in thirty-five recognized centres in the Presidency. Women medical officers in charge of rural child welfare schemes have also been instructed to select suitable women from villages, who desire to take the Dais training; but it has been found that in this Province the tendency has always been for women to avail themselves of the training courses held in English and in the various languages of the Province. The number for training has increased from year to year.

" (*b*) The measures contemplated by Government for minimizing the risks of child birth comprise effective ante-natal, intra-natal and post-natal care. Stress is laid on the need for medical examination and supervision during the ante-natal period and for appointing medical women for this purpose in hospitals and in charge of child welfare centres; local bodies are urged to appoint health visitors on the staff of child welfare schemes in order that mothers may be visited and taught in their houses and induced to attend the clinics in hospitals and child welfare centres.

" (*c*) Government have in their several orders impressed on local bodies the necessity for devoting particular attention to maternity and child welfare work in their respective areas; the annual budgets of local bodies are scrutinized carefully by the Director of Public Health, with a view to induce them to allot the maximum amount possible for this work and to increase their allotments year by year for necessary expansion."

Non-filling of the leave vacancy at the Rural Dispensary, Timiri, North Arcot.

* 550 *Q.*—SRI B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) whether it is a fact that the Rural Medical Practitioner of Timiri dispensary of North Arcot district was granted leave by the District Medical Officer, North Arcot, from 2nd July to 15th August 1938;

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(b) whether it is a fact that the post was kept vacant during his absence;

(c) whether it is a fact that the compounder was in sole charge of the dispensary during his absence; and

(d) if the answer is in the affirmative, what steps the Government are going to take against the District Medical Officer for leaving the office of the practitioner vacant for more than a month?

THE HON. DR. T. S. S. RAJAN:—" (a) No; the rural medical practitioner was granted leave by the President, District Board, North Arcot.

" (b) Yes; the President, District Board, North Arcot, reports that no substitute was readily available for filling up the vacancy, as the rural medical practitioner extended his leave piecemeal.

" (c) It is reported that, with reference to existing rules, the compounder was authorized to repeat old prescriptions and render first aid;

" (d) The District Medical Officer is not responsible; it is the president, district board, who is the authority competent to fill up the vacancy. As pointed out in clause (b) above the president, district board, could not secure the services of a substitute for filling up the vacancy even though the District Medical Officer had recommended the appointment of a substitute."

SRI B. BHAKTHAVATHSALU NAYUDU:—" Will Government consider the appointment of a reserve medical practitioner for each district to act in the leave vacancies of the medical practitioners?"

THE HON. DR. T. S. S. RAJAN:—" The question should be referred to the district board concerned."

*551 Q.—The Hon. Dr. T. S. S. Rajan rose to answer the question.

MR. SPEAKER:—" The hon. Member who has put the question, Mr. Abdul Hameed Khan, is absent."

K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—" He has begun answering it."

MR. SPEAKER:—" I don't allow it."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—" The Speaker may allow the question to be answered."

MR. SPEAKER:—" I don't allow it."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—" May I make a suggestion, Sir. As the subject-matter of the question is a very important one, you may be pleased to allow the Hon. Minister to answer the question."

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Mr. SPEAKER:—"The hon. Member has put a very important question and has not cared to be present nor has he cared to authorize anybody to put the question. This is a serious matter; I do not allow it."

Appointment of a managing trustee for the temples in Baruva and Jalantrakota, Vizagapatam district.

* 552 *Q.*—Sri P. SYAMASUNDARA RAO: Will the Hon. the Minister for Public Health be pleased to state whether the Government received any representations from the public of Baruva and Jalantrakota with regard to the appointment of the managing trustee over a number of temples in Baruva and Jalantrakota (Sompeta taluk, Vizagapatam district) and what action has been taken by them thereon?

The Hon. Dr T. S. S. RAJAN:—"The Government are not concerned with the appointment of trustees of the temples. The Hindu Religious Endowments Board or the temple committee appoints them (*sections 51 and 60-A of the Hindu* Religious Endowments Act). A representation received by the Government was transferred to the Hindu Religious Endowments Board."

Retrenchment of the medical staff employed for the inspection of indigenous medical institutions.

* 553 *Q.*—Sri V. VENKATASUBBAYYA: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) the number of indigenous medical dispensaries in the Province;

(*b*) whether till recently there were two Inspecting Medical officers to inspect all these dispensaries; and

(*c*) whether it is a fact that one of them has been retrenched of late?

The Hon. Dr. T. S. S. RAJAN:—"(*a*) The number of dispensaries of indigenous medicine on 31st March 1938 was 364.

"(*b*) & (*c*) The answers are in the affirmative."

Retrenchment of the Research staff engaged in the School of Indian Medicine.

* 554 *Q.*—Sri V. VENKATASUBBAYYA: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) whether till recently there were two officers doing research work in the School of Indian Medicine; and

(*b*) whether it is a fact that one of them has been retrenched of late, and if so, the reasons therefor?

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THE HON. DR. T. S. S. RAJAN :—" (*a*) The answer is in the affirmative.

" (*b*) One of the two posts of Medical Registrars has been abolished because in the period of the five years of their existence, *viz., from 1933 to 1938*, there has been no evidence of any substantial results by way of general conclusions or proven facts having been achieved by the Medical Registrars, and work of the kind leading to general conclusions suitable for publication to the scientific world has only just been started."

SRI V. VENKATASUBBAYYA :—" May I ask the Hon. Minister whether there is scope for further research in Indian medicine? "

THE HON. DR. T. S. S. RAJAN :—" That is a matter of opinion, Sir."

MR. SPEAKER :—" The hon. Member (Sir Pannir Selvam) should not interrupt the progress of work here by carrying on conversation across the table."

RAO BAHADUR SIR A. T. PANNIR SELVAM :—" I was just asking for information regarding interpellation No. 551, Sir."

MR. SPEAKER :—" The hon. Member cannot ask for information across the table and converse with another interrupting work."

Duties and pay of the Lay Secretary in the General Hospital, Madras.

* 555 *Q.*—SRI B. BHAKTHAVATHSALU NAYUDU : Will the Hon. the Minister for Public Health be pleased to state—

(*a*) what the duties and what the pay of the Lay Secretary in the General Hospital are; and

(*b*) the community to which the present incumbent belongs?

MR. SPEAKER :—" The answer to this question may be placed on the table of the House."

THE HON. DR. T. S. S. RAJAN :—" It is a lengthy answer covering four or five pages."

MR. SPEAKER :—" It is a thesis and not an answer."

THE HON. DR. T. S. S. RAJAN :—" As it is an answer to a starred question . . ."

MR. SPEAKER :—" It may be placed on the table of the House [a]."

[a] Answer laid on the table of the House—vide Appendix III printed on Pages 888-890 infra.

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RAO BAHADUR SIR A. T. PANNIR SELVAM:—"May I have an answer to sub-clause (*b*) of the question, Sir?"

THE HON. DR. T. S. S. RAJAN:—"(*b*) Brahman community."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"What is the pay?"

THE HON. DR. T. S. S. RAJAN:—"Rs. 300 per mensem."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"Is the present incumbent a retired Government servant?"

THE HON. DR. T. S. S. RAJAN:—"Yes, he is a retired Government servant."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"What is the pension he is drawing, Sir?"

THE HON. DR. T. S. S. RAJAN:—"I have no information."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"What is the necessity for appointing a retired officer, a Brahman, for this post, Sir?"

THE HON. DR. T. S. S. RAJAN:—"It is not a question of community. The officer appointed was an Assistant Secretary in the Finance Department, and we thought he was suitable for that post."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"Is it not the policy of the Government to retire their officers when they attain the age of 55?"

THE HON. DR. T. S. S. RAJAN:—"That is the general policy."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"If a gentleman is retired when he is 55, how is he competent to discharge the duties of Lay Secretary?"

THE HON. DR. T. S. S. RAJAN:—"The Government found him physically fit to discharge the duties of the Lay Secretary."

BASHEER AHMED SAYEED SAHIB BAHADUR:—"May I ask, Sir, whether it is a part-time or full-time job?"

THE HON. DR. T. S. S. RAJAN:—"This is a whole-time job."

SRI B. BHAKTHAVATHSALU NAYUDU:—"May I know, Sir, when he was appointed?"

THE HON. DR. T. S. S. RAJAN:—"He was appointed a few months ago."

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Petitions for the disforestation of the forest near Seethapuram village, Koilkuntla taluk.

* 556 *Q.*—K. ABDUR RAHMAN KHAN SAHIB BAHADUR: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) when the forest in and around the dilapidated village of Seethapuram in Koilkuntla taluk of Kurnool district was converted into a reserved forest;

(*b*) the distance between Owk and the said forest;

(*c*) whether any petitions were received praying for the disforestation of the said forest for purposes of occupation; and

(*d*) if the answer to (*c*) be in the affirmative, the action taken on those petitions?

THE HON. SRI V. I. MUNISWAMI PILLAI:—" (*a*) With effect from 15th November 1904.

" (*b*) Six furlongs.

" (*c*) Yes.

" (*d*) The petitioners were informed that their request could not be complied with. The reasons were—

(1) The land applied for is situated in the heart of the Owk Reserved Forest intercepted by several small streams.

(2) Most of the surrounding villages depend on this reserve for their requirements.

(3) The land is not really fit for cultivation being cut up by small streams.

(4) Wild animals are likely to destroy the crops, if any are raised.

(5) The villagers of Aliabad and Manganpet are opposed to the disreservation of the area."

Proposals for opening a tobacco demonstration farm in the lankas of the East Godavari district.

* 557 *Q.*—SRI KALA VENKATA RAO: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) whether it is a fact that he received a representation requesting for a tobacco demonstration farm in the lankas of the East Godavari district; and

(*b*) whether it is a fact that *par excellence* virginia tobacco is being grown there during the last three years?

THE HON. SRI V. I. MUNISWAMI PILLAI:—" The Government understand that virginia tobacco ' Harrison Special ' was being grown in the Amalapuram lankas of the East

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Godavari district during the past three years. A letter was received from the M.L.A. himself which contained the request mentioned."

Grants to the United Planters' Association of South India for scientific research.

* 558 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) what the amount granted annually to the United Planters' Association for its scientific research is;

(*b*) when the grant was originally started;

(*c*) whether any other body in this Province is given any such grant;

(*d*) whether the association recently proposed to levy a cess for this purpose; and

(*e*) what the decision of the Government in this matter is?

THE HON. SRI V. I. MUNISWAMI PILLAI:—" (*a*) The contribution paid was Rs. 28,000 per annum for ten years from 1924–25 to 1933–34 and Rs. 21,000 per annum from 1934–35 to 1938–39. The grant for 1939–40 and 1940–41 has been fixed at Rs. 12,000 per annum.

" (*b*) In 1924–25.

" (*c*) The answer is in the negative.

" (*d*) The association suggested to Government that a legislative enactment should be passed which would enable the collection of a cess on land under plantation products if and when found necessary.

" (*e*) The proposal was not accepted by Government."

SRI V. M. RAMASWAMI MUDALIYAR:—" May I know, Sir, what for this grant is made? "

THE HON. SRI V. I. MUNISWAMI PILLAI:—" For scientific research."

SRI V. M. RAMASWAMI MUDALIYAR:—" May I ask, Sir, whether anything has resulted from this research work done with the help of Government funds? "

THE HON. SRI V. I. MUNISWAMI PILLAI:—" Yes. This question deals with scientific research carried on by the United Planters' Association of Southern India."

SRI P. R. K. SARMA:—" May I ask, Sir, whether there are any publications on the subject? "

THE HON. SRI V. I. MUNISWAMI PILLAI:—" There are."

MR. W. K. M. LANGLEY:—" Arising out of that question, Sir, may I ask whether it is not a fact that there are a number

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of publications that have been made available to the public in connexion with the scientific research work done in connexion with the products which are covered by the United Planters' Association?"

THE HON. SRI V. I. MUNISWAMI PILLAI:—"I think so, Sir."

BASHEER AHMED SAYEED SAHIB BAHADUR:—"May I ask, Sir, whether the Government will state the reasons why the proposal was not accepted?"

THE HON. SRI V. I. MUNISWAMI PILLAI:—"The Revenue Department found it difficult to agree to the proposal."

SRI K. V. R. SWAMI:—"May I know, Sir, whether the Government intend to continue this grant any further?"

THE HON. SRI V. I. MUNISWAMI PILLAI:—"That is a matter to be considered after two years."

MR. W. K. M. LANGLEY:—"Is it not a fact, Sir, that the neighbouring Government also are giving grants on a liberal scale?"

THE HON. SRI V. I. MUNISWAMI PILLAI:—"As regards the States they have stopped it some years ago."

BASHEER AHMED SAYEED SAHIB BAHADUR:—"Arising out of the supplementary question . . ."

MR. SPEAKER.—"Please put your question."

BASHEER AHMED SAYEED SAHIB BAHADUR:—"May I know whether the Revenue Department found difficulty in assessing or in collecting? Or, what is it that prevented them from collecting?"

THE HON. SRI V. I. MUNISWAMI PILLAI:—"They found difficulty in the matter of collecting, Sir."

Amendment to the clause fixing the time-limit for the payment of rents in zamindari areas for faslis 1346 and 1347, in the Madras Agriculturists Debt Relief Act.

* 559 *Q.*—SRI P. SYAMASUNDARA RAO: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) whether the Government have received any representations from the zamindari ryots that due to several economic and natural causes they have not been able to pay their rents in full before 30th September 1938 and were not able to avail themselves of the benefits of the Madras Agriculturists Debt Relief Act;

(*b*) the exact number of zamindari ryots who were benefited by the above Act and those who could have availed themselves of the same;

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(c) whether those who have not paid their rents have wilfully evaded paying rents or whether they were not able to pay their rents due to other reasons, i.e., economic distress, loss of credit and failure of crops; and

(d) whether the Government would consider the desirability of granting extension of time for paying rents for fasli 1347 so as to fulfil the object of this legislation or would amend the Act completely doing away with the penal clauses which stipulated the time-limit for paying rents for faslis 1346 and 1347?

THE HON. SRI V. I. MUNISWAMI PILLAI:—" (a) Some communications have been received to this effect.

" (b) The Government have no information and it is difficult if not impossible to get it.

" (c) It is difficult to guess.

" (d) The answer is in the negative."

Utilization of the grant allotted to Malabar from the grant made by the Government of India for rural reconstruction.

* 560 Q.—SRI R. RAGHAVA MENON: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) when the grant from Government of India for rural reconstruction was given to Malabar district;

(b) what the amount is;

(c) whether the Collector of Malabar has submitted any schemes for utilizing the amount;

(d) what amount has been so far spent out of this grant; and

(e) whether there is any special instruction given to the Collector of Malabar not to utilize the amount till the expiry of any particular period; if so, what its duration is?

THE HON. SRI V. I. MUNISWAMI PILLAI:—" (a) & (b) A sum of Rs. 1,03,000 was sanctioned towards the end of March 1937 and another sum of Rs. 17,170 was sanctioned in May 1938.

" (c) Collectors are not expected to submit schemes to Government for approval. Collectors have been given the fullest discretion to utilize the grant on certain clearly defined objects.

" (d) A sum of Rs. 5,354 was spent out of the grant up to 30th September 1938.

" (e) Collectors have been told that the allotment should be fully spent in the course of three to five years."

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Opening of commercial museums in Madras and in the other districts of the Province.

* 561 *Q.*—SRI V. M. RAMASWAMI MUDALIYAR: Will the Hon. the Minister for Industries and Labour be pleased to state—

(*a*) whether any commercial museums either in Madras or in the districts have been started;

(*b*) what assistance the Government propose to grant to such museums either by way of grant or by way of stocking them with representative products of industries, craft, etc.; and

(*c*) what steps the Government propose to take to encourage and to make use of such museums to display the products?

THE HON. SRI V. V. GIRI:—"(*a*) Commercial museums have been started at Vellore and Tinnevelly.

"(*b*) The Government have under their consideration a proposal to contribute towards the establishment and running of a museum *cum* emporium at Madras. They have no other proposal before them.

"(*c*) Government have instructed District Collectors to examine the question of establishing museums in their districts. Once established the museums should look for support and initiative to local authorities, official and non-official, and to local commercial and industrial interests of the district."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I ask, Sir, whether the Government have considered the desirability of sending some competent men either to Wardha or Calcutta in order to train them for running a commercial museum?"

THE HON. SRI V. V. GIRI:—"If it becomes necessary, the Government will consider the matter."

Lock-out in the National Confectionary, Alandur, Chingleput district.

* 562 *Q.*—SRI P. R. K. SARMA: Will the Hon. the Minister for Industries and Labour be pleased to state—

(*a*) whether there was a lock-out in about August last in the National Confectionary, Alandur, Chingleput district;

(*b*) how many operatives are employed in both the sections of the factory in Alandur and how many of them are below the age of 14 years or will be considered as "children" under the Factories Act;

(*c*) what the circumstances of the lock-out were; how and on what conditions it was settled;

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(*d*) whether the Government are aware that the workers of the factory formed themselves into a trade union on the previous day and were locked out for that reason, *en bloc* by the employer;

(*e*) whether the District Magistrate and his assistant took any part in the dispute and with what results; and

(*f*) whether all the men, women and children locked out have been reinstated since without any exception?

THE HON. SRI V. V. GIRI :—" (*a*) There was a lock-out at the end of July last.

" (*b*) The number of operatives employed has varied from time to time. On 8th November 1938 when the Factory Inspector last visited the place he found 56 men employed for day work and 26 for night work. No children were employed.

" (*c*) & (*d*) The workers are reported to have been locked out after they had gone on strike. They gave no reason for striking work. But their employer attributes it to the inducement of a local rival of his in business who was then standing for election to the local panchayat board as a candidate for the opposite party. According to the workers, however, they struck work because their employer resented their having attended a labour meeting in the premises of the rival confectionary and wanted to form a union.

" At the instance of the Revenue Divisional Officer, Saidapet, the strikers resumed duty of their own accord on the basis of old conditions.

" (*e*) The Revenue Divisional Officer, Saidapet, advised the parties to restore normal relations. Both parties heeded his advice.

" (*f*) Out of 78 men who struck work 73 were reinstated by 15th August 1938. Four have since joined. One has joined the rival company."

Levy of cesses, if any, on goods entering the province.

* 563 *Q*.—SRI K. V. R. SWAMI : Will the Hon. the Minister for Industries and Labour be pleased to state—

(*a*) whether there are any cesses levied by this Government on entry of any goods into this Province for consumption, use or sale; and

(*b*) if so, what these goods are?

THE HON. SRI V. V. GIRI :—" (*a*) The answer is in the negative.

" (*b*) Does not arise."

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Duration of time for fortnightly interviews applicable to B class prisoners.

* 564 *Q.*—SRI P. R. K. SARMA: Will the Hon. the Minister for Administration Reports and Public Information be pleased to state—

(*a*) how many minutes were originally allowed for the fortnightly interviews to the relatives in respect of B class prisoners;

(*b*) whether this time has since been reduced to 15 minutes only; and

(*c*) whether the Hon. Minister has examined the question of restoring the previous time and with what result?

THE HON. SRI S. RAMANATHAN:—" (*a*) & (*b*) 'B' class prisoners are allowed to have interviews once a month. Up to February 1936 the rule was that the time allowed for an interview should not ordinarily exceed half an hour, but might be extended by the Superintendent at his discretion. In February 1936, the duration of an interview was reduced to fifteen minutes, but the Superintendent was given the discretion of extending the time by not more than fifteen minutes.

" (c) The answer to the first part of the question is in the affirmative. The answer to the second part is that the Government have now issued orders restoring the rule which was in force prior to February 1936."

Scale of fees for the issue of gun licences.

* 565 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Administration Reports and Public Information be pleased to state—

(*a*) the fees leviable for gun licences of various kinds; and

(*b*) whether it is a fact that the licensees are asked to pay in addition a stamp duty of twelve annas?

THE HON. SRI S. RAMANATHAN:—" (*a*) A statement [a] containing the information is placed on the table.

" (*b*) Under Schedule II to the Court Fees Act, 1870, a fee of twelve annas is payable on applications presented to District Magistrates for the grant of new licences under the Indian Arms Rules, 1920, and a fee of one anna or twelve annas is payable on applications for renewal of such licences according as the applications are made during the currency of the licence or after the expiry of the licence."

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[a] Printed as Appendix IV on pages 890–893 infra.

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Progress of the scheme for the reduction of the number of civil courts.

* 566 *Q.*—SRI B. VENKATACHALAM PILLAI: Will the Hon. the Minister for Administration Reports and Public Information be pleased to state how many district munsifs' courts and sub-courts have been abolished until now and what they are; in how many cases the proposals for abolition are yet to be given effect to and when?

THE HON. SRI S. RAMANATHAN:—"The attention of the hon. Member is invited to the answer given to starred question No. 242 at the meeting of the Assembly on the 29th November. Orders have since been issued for the abolition of the Sub-Court, Tellicherry, with effect from the 23rd December 1938.

"Proposals for the abolition of certain other sub-courts and district munsifs' courts are under consideration. It is not possible to say at present how many more courts will be abolished and when."

SRI V. VENKATASUBBAYYA:—"May I ask, Sir, whether it is the policy of the Government to consider the abolition of the additional courts before the permanent courts?"

THE HON. SRI S. RAMANATHAN:—"We are considering the abolition of additional courts as well as of permanent courts."

Sale of copies of the Jail Manual to the public.

* 567 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Administration Reports and Public Information be pleased to state—

(*a*) whether copies of the Jail Manual are now available to the public for sale;

(*b*) if not, for how long they have not been available; and

(*c*) when they are going to be reprinted?

THE HON. SRI S. RAMANATHAN:—"(*a*) The answer is in the negative.

"(*b*) They have not been available since March 1931.

"(*c*) The manual is being reprinted and will be ready shortly."

Representation of Muslims on local bodies.

* 568 *Q.*—H. S. HUSSAIN SAHIB BAHADUR: Will the Hon. the Minister for Local Administration be pleased to state, with reference to the statements showing the particulars regarding the representation of Muslims on local bodies, placed on the

table of the House on 18th August 1938, what steps the Government propose to take in order to secure adequate and proportionate representation of Muslims on local bodies on which they are now under-represented and when?

THE HON. SRI B. GOPALA REDDI:—" The matter is under consideration."

Proposals for the repeal of the provision relating to the administration of the oath of office to members of local boards and municipalities.

* 569 *Q.*—SRI KALA VENKATA RAO: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) the names and number of the local boards and municipal councils in the Presidency, which passed resolutions requesting the Government to repeal the oath of allegiance pertaining to the local board members and municipal councillors; and

(*b*) what action the Government propose to take in the matter?

THE HON. SRI B. GOPALA REDDI:—" Thirteen municipalities and four district boards have done it and the matter is under consideration."

Action taken by the Government on the protests against the administration of oath of allegiance to the members of local boards and municipal councils.

* 570 *Q.*—SRI V. S. R. M. VALLIAPPA CHETTIYAR: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) the number of local boards and municipal councils that have passed resolutions protesting against the practice of taking the oath of allegiance by the members of those bodies; and

(*b*) what action the Government have taken or propose to take in the matter?

THE HON. SRI B. GOPALA REDDI:—" The attention of the hon. Member is invited to the answer to starred question No. 569."

SRI V. S. R. M. VALLIAPPA CHETTIYAR:—" May I ask, Sir, whether oath taking is necessary for the proper functioning of these bodies?"

THE HON. SRI B. GOPALA REDDI:—" The matter is under the consideration of the Government. I am unable to express any opinion, now."

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District boards with a deficit budget in 1933 and 1934.

* 571 *Q.*—KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) whether it is a fact that several district boards had deficit budgets in 1933 and 1934 before the abolition of the taluk boards; and

(*b*) if so, how many of them?

THE HON. SRI B. GOPALA REDDI:—" (*a*) The answer is in the affirmative.

" (*b*) Twelve."

Number of district boards working at a deficit budget.

* 572 *Q.*—KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) whether it is a fact that Government are giving more by way of grants and loans to the district boards now than they were giving to the taluk boards and district boards together before the abolition of taluk boards; and

(*b*) how many district boards have deficit budgets now?

THE HON. SRI B. GOPALA REDDI:—" (*a*) A comparative statement [a] showing the loans and grants given to district and taluk boards together during two years prior to the abolition of taluk boards and those given to district boards during the years after the abolition is appended—*vide Statement I.*

" (*b*) A list [a] is appended—*vide* Statement II."

Installation of photos in the district board and municipal offices.

* 573 *Q.*—K. ABDUR RAHMAN KHAN SAHIB BAHADUR: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) whether the Government have permitted the installation of any photos in the district board and municipal offices;

(*b*) if the answer to (*a*) is in the affirmative, who those persons are whose photos are allowed to be installed;

(*c*) whether it is a fact that one of the municipalities applied for sanction to Government to install Mr. Jinnah's photo in its building and that the Government refused their permission; and

(*d*) if the answer to (*c*) is in the affirmative, the reasons that induced the Government to do so?

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a Printed as Appendix V on page 892 infra.

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THE HON. SRI B. GOPALA REDDI :—" (a) & (b) The Government have directed that no expenditure shall be incurred from the funds of local bodies on the purchase or installation of portraits, pictures, etc., other than those of Their Majesties and Mahatma Gandhi.

" (c) & (d) The Commissioner, Cochin Municipality, applied to the Government for permission to table for discussion by the municipal council the proposal to install in the council hall at private expense the portrait of Mr. Mohamad Ali Jinnah. Enquiry showed that the resolution would be opposed by a majority and that discussion of the proposal was likely to lead to unnecessary and irrelevant controversy and disturbance of harmony in the council. The Government thought it to be in the best interests of the State as a whole to refuse permission for tabling the resolution."

K. ABDUR RAHMAN KHAN SAHIB BAHADUR :—" In view of the fact that a section of Indian people do not belong to the Indian National Congress, will the Government consider the desirability of cancelling the order permitting the installation of Gandhiji's photo in municipal halls."

THE HON. SRI B. GOPALA REDDI :—" There is no question of Congress here. I never said anything about Congress here."

K. ABDUR RAHMAN KHAN SAHIB BAHADUR :—" In view of the fact that an invidious distinction made between one leader and another is likely to arouse feelings of bitterness among various communities, is it not desirable on the part of the Government to pass orders for discontinuing the practice of installing photos of any leader? "

MR. SPEAKER :—" The hon. Member does not want to elicit information. It is an expression of his own opinion that he is giving."

Representations for the abolition of the posts of municipal commissioners.

* 574 Q.—SRI K. V. R. SWAMI : Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether any suggestions or requests were received from municipal councils or chairmen and councillors in favour of the abolition of the office of the commissioner;

(b) if so, from whom and when;

(c) whether the Government have considered those suggestions and requests; and

(d) if so, with what result?

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THE HON. SRI B. GOPALA REDDI:—" (a) & (b) Representations were received from some municipal councils supporting the resolution passed at the conference of chairmen and vice-chairmen of municipal councils held at Vizagapatam recommending to Government that the posts of commissioners may be abolished.

" (c) & (d) The attention of the hon. Member is invited to the answers to clauses (b) and (c) of question No. 293 answered on the 30th November 1938."

SRI K. V. R. SWAMI:—" May I ask what the present view of the Government is with regard to this question?"

THE HON. SRI B. GOPALA REDDI:—" Not to abolish the post of commissioners, Sir."

Previous records of executive experience in municipal service, if any, of the existing commissioners.

*575 *Q.*—SRI K. V. R. SWAMI: *Will the Hon. the Minister for Local Administration be pleased to state—*

(a) how many of the municipal commissioners now working as such had any executive experience of the municipal service before their appointment; and

(b) if the information is not available, whether the same will be called for?

THE HON. SRI B. GOPALA REDDI:—" (a) & (b) Ten of the existing municipal commissioners had executive experience in municipal service previous to their appointment as commissioners."

Standardization of the pay and status of municipal establishments.

*576 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the Government have arrived at any decision on the question of standardizing the designation and scales of pay of municipal establishments under section 70, clause (3) of the Madras District Municipalities Act, 1920; and

(b) if not, why not?

THE HON. SRI B. GOPALA REDDI:—" The Government have decided to delegate to the Inspector of Municipal Councils and Local Boards the powers of fixing the designation, strength and scales of pay of municipal establishments under section 70 (3) of the Madras District Municipalities Act, 1920, and orders in this regard will be issued shortly."

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Representations for the allotment of the reserved seat for Muslims and Christians to ward No. 4 in preference to ward No. 3 in the Anantapur Municipality.

* 577 *Q.*—K. ABDUR RAHMAN KAHN SAHIB BAHADUR: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) the number of seats reserved for Muslims and Christians in Anantapur Municipality;

(*b*) whether any of these reserved seats have been allotted to ward No. 3;

(*c*) if the answer to (*b*) be in the affirmative, the voting strength of each community, Muslim and Christian, in that ward (ward No. 3);

(*d*) the voting strength of each of these communities in ward No. 4;

(*e*) whether there is any other ward in the municipality where the number of voters under each community is less than the corresponding numbers given under (*c*);

(*f*) whether any representation was made to the Government by the residents of ward No. 4 requesting that the reserved seats for Muslims and Christians should be allotted to their ward; and

(*g*) if the answer to (*f*) be in the affirmative, the action taken by the Government thereon?

THE HON. SRI B. GOPALA REDDI:—" (*a*) Muslims—Two seats. Indian Christians—One seat.

" (*b*) One of the seats reserved for Muslims and the seat reserved for Indian Christians have been allocated to ward No. 3.

" (*c*) Muslims—23. Indian Christians—20.

" (*d*) Muslims—134. Indian Christians—28.

" (*e*) Yes. There is one such ward in the case of Muslims and ten such wards in the case of Indian Christians.

" (*f*) The answer is in the negative.

" (*g*) In view of answer to clause (*f*) the question in this clause does not arise."

K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—" May I know which Government fixed these wards and whether any representation was made to the Hon. Minister regarding the number of Muslim seats that were reserved previously but which were subsequently allotted to ward No. 3? "

THE HON. SRI B. GOPALA REDDI:—" I do not know which Government fixed these wards and no representation was made to me."

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Measures to relieve the distress caused by the recent cyclone in the East Coast.

* 578 *Q.*—SRI P. BUCHAPPA NAYUDU: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) what the places are—talukwar—affected by the recent cyclone on the East Coast;

(*b*) the extent of damage caused to life and property including standing crops and the estimated value of the loss caused; and

(*c*) the extent and nature of the relief afforded and proposed to be afforded by the Government to relieve distress in the affected areas?

THE HON. SRI T. PRAKASAM:—" (*a*) Details regarding the villages affected have not yet been reported. So far as information is available, most of the deltaic areas in the districts of East and West Godavari and Kistna have been affected.

" (*b*) Attention of the hon. Member is invited to question No. 411 which was answered at the meeting on 7th December 1938.

" (*c*) The Government have sanctioned an allotment of Rs. 10,000 to the Kistna district, Rs. 3,000 to the East Godavari district and Rs. 10,000 to the West Godavari district. The allotments are intended for relieving real distress amongst the poorer classes."

Restrictions on minor landholders in the matter of felling timber and removing firewood from the Nilambur and adjoining forest areas.

* 579 *Q.*—KHAN BAHADUR P. M. ATTAKOYA THANGAL SAHIB BAHADUR: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) whether the Government had ordered that passes and permits should be obtained by minor landholders for felling timber and collecting firewood from Nilambur and the adjoining forest areas in Malabar;

(*b*) if so, from what date that order was enforced;

(*c*) whether it is a fact that the poor people are subjected to great hardships and inconvenience by that order; and

(*d*) whether the Government will consider the desirability of cancelling that order?

THE HON. SRI V. I. MUNISWAMI PILLAI:—" (*a*) Permits are not required for felling and collecting timber and fuel

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on private lands but the Timber Transit Rules require permits for removal and transport of timber (including firewood) within the area scheduled under the Timber Transit Rules for the Nilambur division.

" Firewood in head-loads is exempted from the operation of the rules.

" (b) From the year 1916.

" (c) The answer is in the negative. No such cases have come to the knowledge of the Forest department.

" (d) The answer is in the negative."

Cyclone havoc in the West Godavari district.

* 580 *Q.*—Sri D. NARAYANA RAJU: Will the Hon. the Minister for Revenue be pleased—

(1) to make a statement regarding the nature and extent of the cyclone havoc which he witnessed during his recent tour in the district of West Godavari;

(2) to state—

(a) how many human lives were lost;

(b) how many cattle and sheep perished; and

(c) how many houses collapsed in each of the taluks of West Godavari district;

(3) whether it is a fact that, in badly affected areas, there is no food for the people and no fodder for the surviving cattle;

(4) (a) whether the Collector of West Godavari applied for any grant to give immediate relief to the distressed poor;

(b) in what way or ways, it is proposed to alleviate the distress and the amount of grant required for each purpose;

(c) the amount of grant, if any, which the Government are pleased to make and the purposes for which it is directed to be utilized;

(5) (a) whether the Collector of West Godavari has applied for any special staff to expedite the azmaish of the damaged fields;

(b) what special staff, if any, the Government have been pleased to sanction;

(6) (a) whether the Collector of West Godavari has submitted any special proposals regarding the extent of remission that should be granted this year;

(b) if so, what his proposals are; and

(c) what instructions, if any, the Government propose to issue in this regard?

The Hon. Sri T. PRAKASAM:—" (1) The damage caused to the people of West Godavari by the cyclone is very great.

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The tidal wave at Narasapur was a very mild one. Otherwise, the loss of cattle and sheep and crops would have been on an unimaginable scale. One of the leaders was good enough to put money into his pocket and go about to distribute it freely to those whose houses were washed away and who were without food or clothing. Muslim women, who would not come out of the houses also, were helped. When I visited the district with the Collector it appeared to me one sheet of water from one end to the other. Some of the villages were completely cut off from the rest on account of water. There were no boats to reach the villages. People had to walk through water. Crops cut, as well as uncut, were under water. Except in some areas people had generally abandoned all idea of saving the crops that had been covered by water. Some complained that, if permission were given to cut off the bunds in some places, water could be drained off and at least a portion of the crops might be saved. Instructions were given to the Executive Engineer, who had been with us throughout, and to the Superintending Engineer, who arrived in the evening from the neighbouring district, that necessary arrangements should be made to cut off the bunds, wherever it was possible, or give permission to do the same for draining off the water. On the first day I was told that it might take at least a week or ten days for the water to drain off, but on the third day when I was returning from the neighbouring district I was told by the Revenue Divisional Officer of Bhimavaram that by the next day the water in some places had gone down considerably. This, I believe, was due to the work done by the Public Works department. Arrangements were made for supplying palmyra leaves, bamboos, etc., for *reconstruction of the houses* in some areas. Owing to the spread of the tidal wave, fresh water in tanks became brackish and undrinkable. Poorer classes complained about the same. Instructions were given to the Public Works department to give relief to those people immediately. The damages referred to above are only rough estimates. The total loss was estimated at about Rs. 55 lakhs then.

" (2) According to the reports so far received—

(*a*) Twenty-four lives were lost in the several taluks as follows:—

Taluks.	*Number of lives.*
Tadepalligudem	5
Bhimavaram	5
Tanuku	4
Ellore	3
Narasapur	
Kovvur	2

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(b) It is estimated 12,695 animals have been lost in the following taluks:—

Taluks.	Cattle.	Sheep.
Narasapur	1,100	3,500
Bhimavaram	374	3,652
Tadepalligudem	2,549	1,520

No estimates have yet been received from the Tanuku and Ellore taluks.

(c) It is estimated that the number of houses that have collapsed is as follows:—

Taluks.	House.
Narasapur	3,800
Tadepalligudem	1,286
Kovvur	150
Bhimavaram	1,959

No estimates have yet been received from the Tanuku and Ellore taluks.

(3) Scarcity of food stuffs and fodder has been reported in some parts of the West Godavari district. The Government have sanctioned to the Collector a sum of Rs. 10,000 for the relief of immediate distress.

"(4) (a) The answer is in the affirmative.

(b) & (c) A sum of Rs. 10,000 has been sanctioned to the Collector. The Government have not specified the objects on which the amount should be spent, but have stated generally that it should be spent on the relief of real distress among the poorer classes.

"(5) (a) The answer is in the affirmative.

(b) The Government have sanctioned a special staff of 18 Revenue Inspectors together with 18 peons for a period of one month.

"(6) (a) *to* (c) Detailed proposals of the Collector regarding the remissions to be granted have not yet been received from the Collector. He is himself competent to grant remission of wet assessment with reference to rules in Board's Standing Order No. 13.

"The Collector has been directed to grant remission in all cases in which the crops had been lost completely."

SRI KALA VENKATA RAO:—"Is the same policy followed in the districts of East Godavari and Kistna which are affected by the cyclone?"

THE HON. SRI T. PRAKASAM:—"Yes. It is the accepted policy of the Government."

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SRI B. BHAKTHAVATHSALU NAYUDU :—" Mr. Speaker, I gave notice of a short notice question on the 8th but it has not been answered yet."

MR. SPEAKER :—" But the Hon. Minister does not agree to answer it. It is a short notice question. Unless the Hon. Minister chooses to answer it to-day, the hon. Member cannot compel him."

[*Note*.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—THE MADRAS PUBLIC HEALTH BILL, 1938.

MR. SPEAKER :—" The House will now take up the consideration of the Madras Public Health Bill as amended by the Select Committee."

* THE HON. DR. T. S. S. RAJAN :—" Sir, I move—

' that the Madras Public Health Bill (L.A. Bill No. 17 *of* 1938) *as amended by the Select Committee be taken into consideration.'*

" In presenting the Report of the Select Committee the other day, I referred to the time spent by the Select Committee in discussing this Bill. All the members of the House are now in possession of the Report of that Committee and they have had, I believe, some time, at any rate, to go through the various sections and the alterations which have been made in the Select Committee. It is needless for me at this stage to go into minute details with regard to the many amendments which have been incorporated in the Bill since it was published. I shall only refer to a few of the very salient points that have been discussed in detail and try to explain, in view of the statement that I have already made while introducing the Bill, the objects underlying the whole text of the Bill. The other day while introducing it, I explained the necessity that was felt by the Government to enact a law of this nature. We had a measure of this kind before the department for a number of years and we have found that in view of the experience gained in health work, it was absolutely necessary to put on the statute book an enactment which will be acceptable to the Public Health department—an enactment which, while being simple, will give sufficient power to the Health department to carry out such measures that are needed for the public health. I have also made it clear in my previous speech as to how the Public Health department have made endeavours to carry the people of our Province along with them in their desire to maintain the public health of the Province, and after having done that they still found it necessary

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to have a legislative enactment so that people who do not care to obey or wilfully disobey the laws of public health might be promptly made to obey such laws.

4-15 p.m. "I had also stated that a health enactment is a measure of safety to the people of the Province. It should not be considered as a penal measure. For, once the health laws are broken either through ignorance or through wilful neglect, the dire consequences that follow such infringement are only too apparent. It is particularly so in the case of epidemic and infectious diseases, where perhaps one innocent individual who starts the disease accounts for the death of many thousands of people consequent on the spread of the disease through ignorance or through neglect.

"The first alteration with regard to this new Act, as I mentioned the other day, is the formation of a statutory Public Health Board. This is the first alteration we have introduced in the public health administration of this Province. The Board is entirely advisory, but it has got a legal status. It has got the power to examine all matters that are referred to it either by the Director of Public Health or by the Government. It consists of experienced and scientific men who can speak with authority and give advice accordingly. In the original Bill as it was introduced, provision was made for three elected members of the Legislature, two from the Assembly and one from the Council. A good deal of discussion took place as to the necessity for incorporating the election of these three members. The argument put forward by the members who were against this election was that the Board was entirely a Government machinery, that it was entirely advisory in its function and as such the whole responsibility for the administration of the Public Health department through that advisory board must entirely rest on the Government, and that if elected members of various schools of thought were taken in, it might be just possible for the Government to shirk their responsibility and throw it entirely on the elected representatives of the Board. It was a view with which we certainly agreed, and I was perfectly prepared to take the responsibility and the consequences for the working of the Public Health Act. But in order to keep people's representatives on the Board, it was suggested that the members should not be brought in by election but by means of nomination of members by the Government from both the Houses of the Legislature. So, it has been made possible for the Government to choose such of the members from the Legislature as will be useful to the Board in the performance of the work entrusted to it. This was more acceptable to us in view of the fact that various bodies have already raised the issue that they ought to be empowered to nominate a representative to the Public Health Board. For instance, the Women's Indian Association claimed representation on the

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Board; the Corporation of Madras claimed representation on the Board; in fact by resolutions, various municipalities have claimed each a representative on the Health Board. Even the railway authorities, the three great railways that are working in this Province, claimed to send a representative to the Board. In fact, if consideration had been given to these various representations, we would have created another Legislative Assembly and not a small compact body which could advice the Government or the Director of Public Health. It was not a consideration of women, it was not a consideration of community, it was not a consideration of vested interests. Public health affects all people, men, women and communities all alike; and in the discharge of the sacred trust of administering the public health of this Presidency, communal considerations or considerations of sex do not arise. It is not as if the Government do not value the advice that these people, these elected representatives of the various bodies, can give in the consideration of public health matters; but the object behind the formation of the Board was to have a compact scientific advisory body which would be prompt in giving such advice to the department as may be necessary. But, if it is going to be a deliberative assembly which would sit from time to time for a number of days, together with an elaborate machinery for administration, consequently involving a huge expenditure of public funds in the way of travelling allowance, daily batta and the like, it would be a very expensive body indeed. Nor would it serve the very purpose for which the Board has been created. Therefore, the suggestion that came from the members of the Select Committee was very acceptable to us and we have agreed to nominate three members from the Legislature. This does not exclude women representatives being included in the Board if the Government so desire; nor would we exclude members representing any community when, by their knowledge and by their influence and experience, they could contribute substantially towards the deliberations of the Public Health Board. Therefore, the Government eagerly accepted that advice; and while accepting the advice, they also accepted the entire responsibility for the work of the Public Health Board. Therefore, to-day, as amended by the Select Committee, the Health Board has incorporated in it the nomination of three members from the Legislature and the Sanitary Engineer.

" Again, another suggestion was put forward that an administrator of great experience who could in the nature of his knowledge and in the nature of his regular work contribute to the proper administration of the department and give such advice as may be necessary, should be included. The inclusion of the Inspector of Local Boards was prominently mentioned in this connexion by one or two members. But it was thought desirable not to limit our choice to one or other officer; and therefore it was generally put down as one officer with administrative experience,

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the choice being left entirely to the Government, so that they might nominate whoever was likely to be of advantage to the Board in giving necessary guidance in regard to the administrative work of the Public Health Department.

"So, now, instead of the Director of Public Health alone administering the department, it has been made possible to incorporate a large number of people in the administration of this department; and therein comes really the great advantage of having the Public Health Board. Though it has not got statutory powers in regard to decisions, yet you may take it for all practical purposes that its advice and its suggestions will be normally followed by the Government. Where such advice does not tally with the actual position, or brings in implications either of finance or of fundamental policy concerning public health administration, the Government will certainly consider those aspects and adopt the advice according to the necessities of the case. It is not as if it is a mere useless appendage of a consultative body; but I do believe that if worked for some time, this Public Health Board would really become a very efficient body both in its advisory as well as in its executive capacity. This shall certainly, I hope, be the result of working this Board for a certain number of months or even years. Sir, this is not a new experiment; it is an experiment that has been tried in various foreign countries with success, and therefore it is that we have tried to imitate them and adopt the principle of entrusting this department to a Public Health Board. Nor it is a strange thing. The Revenue department and some other departments are now being controlled and administered by a Board which is responsible to the Minister-in-charge; institutions of the kind are now working even in our own Province. But such a thing becomes very necessary and useful in the case of the administration of a department such as the Department of Public Health wherein not merely vested interests but the well-being of the people of the whole Province are concerned.

"There was one objection however which became a subject of controversy; that was whether the Public Health Minister should be the President of the Board. There was much discussion on it and in view of the fact that the Public Health Minister is eventually responsible for the running of this department, he should necessarily be posted and be conversant with the decisions of the Public Health Board and its day-to-day working. We thought it therefore necessary that the Public Health Minister should not be kept out of the Board which is an appellate authority. To-day it so happens that there is a medical man in charge as Public Health Minister, but it is not a statutory obligation that the Public Health portfolio should always be in the hands of a medical man. It is just possible that a non-medical man—as has been the case during the past years—may be in charge and in such a

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case, his presence at the meetings of the Public Health Board will be of great advantage, and an eye-opener. As a lay Minister, he can bring to bear his non-technical knowledge on any question put before him after listening to the various arguments and discussions that might take place in the Board. Therefore, the idea of keeping him out of the Public Health Board was not in our opinion desirable, and we have accordingly maintained the decision that he should be the President of the Board.

"A second point that was raised during the discussions in the Select Committee was that the Director of Public Health ought not to be the Secretary to the Board. The contention was that he, being the chief executive officer of the department, should not be the Secretary to the Board which is more or less an appellate authority, giving advice in regard to matters referred to it by the Director of Public Health. That is certainly an argument which should be considered; but the fact which weighed with the Government is this: that the Director of Public Health passes orders and sends the papers on to the Board; but it is necessary that he, as the executive officer, should put the case in all its aspects before the Board, and nobody else can do it so effectively or so clearly as the Director of Public Health himself. He is in a peculiar position to bring together and gather all the facts that may be necessary and put them before the Board for their consideration. Any other independent secretary, to whatever department he may belong, cannot be, and can never be expected to be, in the same position as the Director of Public Health who has a full knowledge of the case, who knows the particular difficulties of the case and who can give such advice as may be necessary for the consideration of the Board. Therefore, in this respect also, the Government could not accept the proposal that the Director of Public Health should not be the executive officer. So, in these two matters, viz., that the Minister of Public Health should be the President of the Board and that the Director of Public Health should be the Secretary to the Board, the position is the same. The only two alterations which the Select Committee has made, as I have already stated, are the inclusion of the Sanitary Engineer and an officer with administrative experience in the Board.

"Now that I have stated how an important alteration has been made in the structure of the Bill, I shall take you to the next subject on which a large amount of discussion took place. That was in regard to giving powers to the officers in local bodies. There has been a feeling in many of the local bodies which have sent representations to the Select Committee and to the Ministry, particularly the Corporation of Madras which has sent a lengthy communication, to the effect that the powers of the Health Officers and the powers of the Director of Public Health should be such that all local bodies should be left entirely free from

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control by the Director of Public Health. Sir, it is very difficult to conceive the idea or argument on which such a resolution has been passed by the Corporation of Madras. The reason that it has stated is that it has got an elaborate health machinery, that it is spending as much as Rs. 50 to Rs. 60 lakhs on public health and that it has got a perfect system. The Corporation thought that it was the highest appellate authority and that nobody should direct it in these matters. Sir, that was really the proposal made by the Corporation of Madras. I should congratulate it on the perfect system of health administration it has got, so perfect that it is so pleased with it that it does not want anybody else to have anything to do with it. But as one who has got some experience not only of the City of Madras but of several other cities in this Province—and the whole Province should be taken into account in this matter—we find that our responsibility will disappear if we allow the premier Corporation which commands the health of about 7½ lakhs of people to go uncontrolled. The health department of the Corporation of Madras must realize that any sickness, any epidemic, any insanitary arrangement found in Madras can easily, in spite of its perfection, travel to the areas round about. Therefore, it is
4-30 p.m. very essential that that there should be a unified authority in matters of health. Direct control and effective management becomes very necessary. If effective management is necessary in any department of human welfare, I contend that it is primarily in the health department. Only effective measures taken in time can prevent mortality in great numbers, and ill-conceived ideas of prestige and power must disappear so far as health matters are concerned. Every one should play his part with that co-operative and human spirit which alone can save human life. In spite of the representations of the Corporation of Madras to be freed from the clutches of the Director of Public Health, I do maintain that in the interests of the Province health control must be centralized and that advice, direction and control should emanate from the central authority. All the same we have not brushed aside the claims of a premier institution like the Corporation of Madras. We have taken notice of its representations and so far as the appointment of the health officer and those of his subordinates is concerned, we have given absolute power to the Madras Corporation. It has been given power to appoint its own Health Officer and its own health staff but in matters of control, direction and policy it must be on a par with the other municipalities. The other municipalities have not made such big claims; perhaps some of them realize that they are even now to depend upon the mercy of the Government even in respect of the pay of their Health Officers. The Corporation of Madras has a huge population of 7½ lakhs whose health it has to look after and it is more lucky in that it derives much revenue from them. The size of its population casts a responsibility upon it and this it

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can better discharge through the direction and control which is contemplated under the provisions of the Bill. We are more concerned with the health of our people than with the question of the appointment of Health Officers. The health of the people of Madras is as much the concern of the Government as the health of the people living in the district of Tinnevelly in the south or in Vizagapatam or the Agency areas in the north.

"I hope I have explained why the constitution of a central board is necessary. It is not enough if a board is established. It should be armed with full powers to put into force all pieces of health legislation and regulations, especially so in times of epidemics and infectious diseases. It is not merely a question of disease; it is a question of vital statistics, of ascertaining the average life of our people, the average mortality rate and the causes that contribute to the death-rate. All these have to be taken into consideration and the general principles of public health have to be applied. If it is said that the mortality rate in the City of Madras is low, it is a source of pleasure to the Government; but what we are responsible for is the betterment of the general health and the condition of the people of the whole Province. Therefore, it is not a question of health alone; it is a question of taking statistics, taking measures for food control, for water-supply and for such other matters which vitally concern human welfare. The Government cannot in the circumstances see their way to accede to the representation of the Corporation if they want to have a very efficient health administration.

"The only thing the Corporation was glad about was the grant of police powers to the sanitary inspectors. Such powers have been given to all the sanitary inspectors in the Province. But we do not believe that the mere grant of powers is by itself going to improve the health condition of the City. There is the other side of the picture. In every inspector you may find a policeman, but with less authority and less power to execute orders than the policeman himself. The sanitary inspector is not provided with a *lathi*; he has got to be an ordinary social worker and if he assumes police powers, it will be only to the extent to which the ordinary citizen is willing to submit himself. The system is this: that as soon as he finds a person committing an offence, he has got power enough to take him under charge as arrested and take him to the nearest police station so that the offender may be handed over to the rightful authority. The police powers of the sanitary inspector are very much restricted. Let me make it perfectly clear to every one concerned and allay the fears in the minds of the people that we are adding one more policeman in the person of the sanitary inspector, that the policeman is there to enforce law and order but the sanitary inspector, if he is to be called a policeman at all, is only a policeman for health with the restricted power I have

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explained. He is there to advise people and to see that health laws are obeyed and to take such action as may be necessary in the discharge of his duties. To that extent the law has given him the protection asked for and which the Government felt it necessary to give him.

"Some few days ago a representation was made to me on behalf of the railway companies operating in the Province. The Agent of a railway company was anxious to know whether the Government would take into cognizance the authority of the railway department over their colonies. After consulting the Legal Department, I gave him the assurance that every one of the railways would be included within the operation of the Act as long as the railways are running within our territory and as long as the railways had a population under their control. Though it may be that the railways have their own medical men, the health law covers all railways and all private and quasi-private and public bodies. I also told him that in case any difficulty arose it may be remedied by an appeal to the Government. If it is due to deficiencies in the legislation, we shall not hesitate to put forward such amendments as may be necessary to make the law absolutely perfect and fool-proof.

"With regard to the powers of the Health Officers, the question has been asked by many municipalities as to the position of their executive authority in relation to the Health Officers, whether the Commissioner is to be the sole executive authority for all branches of the local administration including public health or whether the Health Officer is to be *ipso facto* responsible not to the Commissioner but to the Director of Public Health. This was a delicate issue which required to be clarified by the Select Committee and evoked a good deal of attention in the Select Committee. Finally, it was agreed that in such matters pertaining to health and sanitation where the knowledge of the Health Officer is absolutely the one that should have weight with the local authority, the Health Officer should have perfect freedom to do what he thinks best and necessary and act likewise. It was also laid down that the health staff may be under his control though subject to the approval of the executive authority, and reference may be made to the Government direct in case of difference between them. Thus while giving to the Health Officer all the powers that are necessary for the discharge of his duties, his responsibility to the executive officer and the council has been maintained. Where the executive officer and the Health Officer or where the local body and the Health Officer differ, provision has been made for an appeal to the Government or to the Director of Public Health as the case may be. While giving the Health Officer a certain amount of freedom in technical matters, it has been also made possible for the executive officer and the local body to control the Health Officer. But if differences arise in technical matters or matters dealing with public

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health, an appeal is to be made to the Director of Public Health; but in matters which do not concern public health or where the local body has a grievance against the health administration, an appeal has been provided for to the Government whose verdict shall be final in the matter.

" With regard to the question of water-supply, very many important and statutory powers have been taken under this Act. We have found that local bodies bringing water from long distances are very jealous. They want to preserve the water for themselves and have not exhibited charity enough to share the water with other villages that happen to lie en route even though they have got more than their requirements, and they put up unnecessary obstruction and claim rights and privileges as to the distribution of the water. Under this Act, the Government have taken powers to insist upon local bodies to give such water as may be necessary to the various villages en route provided the supply to that local area is sufficient. Such power was necessary in the interests of the general well-being of our people and where local bodies were not sufficiently charitable and philanthropic, it was thought necessary to enforce philanthropy by means of legislation. This we have endeavoured to do consistent with the water available and consistent with the financial implications of the scheme. We have also provided for sufficient compensation to the local authority which has to supply water to the villages on the way.

" We have also taken powers to conserve private sources of 4-45 p.m. water-supply particularly where people congregate and private wells or tanks are allowed to be used by the public. We have taken power to look after and control them on behalf of the public, for it so happens that private tanks, particularly in seasons of festivals, are being utilized by thousands of pilgrims who in the absence of better water-supply have recourse to private sources. But when once the public have recourse to them, the task of protecting that water-supply against diseases becomes the duty of the Government. And therefore we have taken powers in this Act to rope in the private sources of water-supply to the extent it is necessary to control them in the interests of the public, and also at the same time not depriving the owners of their proprietary rights. We have taken action only to the extent the public health is concerned, leaving the proprietary rights in the hands of the owners themselves. I can illustrate this by an example or two. A private well owned by a gentleman may be used by 100 or 200 people who do not own a well. At times we may have to inspect the well and at times we may have to purify it. Under ordinary conditions, we must have the power to inspect the well and see whether it is free from infection. Under these conditions it is necessary in the interests of the public health of our people that we should have power to have absolute control over these sources. That is one peculiar feature in this Public Health

Bill and it went through a long discussion in the Select Committee, where vested interests were arrayed against the forces of public health. Eventually on the assurance of protection and careful management, we got over the difficulty."

MR. SPEAKER :—" I suppose the Hon. Minister is not getting into the various aspects discussed in the Select Committee? "

* THE HON. DR. T. S. S. RAJAN :—" Yes, I am just describing . . ."

MR. SPEAKER :—" Does he propose to reveal all the troubles of the Select Committee? "

* THE HON. DR. T. S. S. RAJAN :—" It may avoid further amendments and things of that sort."

MR. SPEAKER :—" It is desirable to keep the proceedings confidential and not reveal all the difficulties of the Select Committee to the Legislature."

* THE HON. DR. T. S. S. RAJAN :—" With regard to food control, various punitive powers have been given to the Health Officers. It has been found necessary particularly in times of epidemics. Where all sorts of food-stuffs are exposed in the public streets, they become the victims of flies and thousands of people go and buy and eat them. This often starts an epidemic followed by loss of human life. We have taken power in this Act to control these things, to destroy such food-stuffs as are found putrid or unsuitable for human consumption and send others for proper examination and take necessary steps to prevent the food from being sold to the public. This is essentially necessary in a land of fairs and festivals, because in this country, fairs and festivals occur every week and every month and all the seasons of the year; and the congregation of people at one time or other is so frequent that it is necessary that we should protect the health of the people who either by inadvertence or by ignorance take food offered to them cheaply under insanitary conditions.

" There was indeed a great discussion on the question of infectious diseases and the powers given to the local authorities in this matter. After a good deal of discussion, we decided to divide the list of infectious diseases into two headings. One would be the infectious diseases in general and the other would be what is called the notified diseases. The notified diseases include almost every sphere of infectious disease that occurs in an epidemic form; to control these, absolute minimum powers are found necessary for the health staff, and so drastic provisions have been incorporated in the chapter under notified diseases. Very many diseases that have been included as apparently infectious diseases have been found to be not so very seriously infectious as to require drastic legislation. For instance, I may quote the instance of malaria. In the original Bill, we found malaria included in infectious

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diseases and all the consequences of infectious diseases followed. We have excluded malaria from notified diseases, because it is more or less a universal disease in this country. No town or village is exempt from malaria, but as the infection is not direct from man to man except through the mosquito at particular stages of its life, therefore having an indirect transmission only, we found it was sufficient to put it under the category of ordinary diseases without encompassing it in the classification of notified diseases. But we have brought tuberculosis and enteric fever under the notified diseases. We have given not only protection but made provision for preventive methods. And we have laid an obligation on every medical practitioner to whichever system he may belong, be he a vaidyan, a unani doctor or a licensed or unlicensed practitioner, to inform the health authorities of the persons he treats for such diseases, under pain of penalty of ten rupees for each case that he does not report, so that the local authorities might be in a position to take immediate action as soon as the notice is received. It is the first time in the public health history of this Province when a duty has been imposed by statute and a penal provision made for not reporting these diseases in the interests of the public health. This sort of classification has enabled the work on these two chapters to run through easily and you will find the difference between the original Bill and that which has been submitted by the Select Committee.

" Another important discussion centred more or less on the question of venereal diseases. This has been a very ticklish chapter as far as the public is concerned. I cannot even now conceive as to why this should have tickled the anger, the ire and the wrath of ever so many of our friends. I can say this without fear of any contradiction: as a medical man, I do not think that any disease in the category of infectious diseases is more dangerous to the safety of human lives than venereal diseases. If it had enjoyed protection, it was because of the ignorance of the people; if it had enjoyed sympathy, it was because it was associated with the origin of the disease; if it had enjoyed a certain amount of secrecy, it was due to a certain amount of shame and unwillingness for exposure. But none of these things takes away from the nature of the disease its dire and obnoxious character or its perpetual transmission not only to one generation but from generation to generation to the whole off-spring for a number of generations. Therefore, I consider this infectious disease the most baneful in its effect of all notified diseases. But as long as public opinion is not in a position to realize the implications and the grave nature of this disease, I have got to bend and bide my time. But I could not allow this chapter to be removed. Therefore I have insisted on at least certain portions of it being retained —the more innocuous and the more innocent, I fear, have been retained. But still to the extent that it has been retained, an obligation has been laid on the health authorities to talk to the

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people about the venereal diseases, advise them on the necessary measures and strengthen almost all the Government institutions in which to-day free treatment has been made available to all that seek it. When I introduced the clause I was fully aware of the responsibility of that clause. Now that the State has made provision for every poor man in this country to get treated free of charge, without even taking into consideration the enormous sums that might have to be spent on each individual in the interests of the man himself and the future progeny of this country, now that the Government have taken the wise step of making this treatment free to all that come and seek help, is it not the duty of any just and sane Government to see that people do not hide and take shelter and get away without being treated by the health department? But since there was a large amount of public opinion against notifying the disease, we have removed three clauses that were consequent upon notification and exposure, as it was thought by certain people, at any rate exposure to a certain extent. We have removed them but we have provided another clause that was not found in the original Bill. That is, we have empowered all medical practitioners, Government and otherwise, to certify all people that care to come and take a certificate from them to the effect that they are free from venereal diseases, particularly those in the profession of dhobies, barbers and such others who do public service. The public who get service from such persons have got to be taken care of. The barber, for instance, who has got a syphilitic sore in his finger begins to shave a certain gentleman and is just likely to infect him with the disease because of his own disease. In such cases, any sane, intelligent and enlightened citizen would be entitled to ask the barber for the certificate or ask the local authorities to make it obligatory on places of public resort where people go and take a shave or send their clothes for wash, to have the certificate and see that clothing is sent only to such people as are certified. If public opinion can be developed, this certifying also, I am sure, will develop side by side and the possession of a certificate of freedom from venereal diseases will be an asset to every institution that is meant for the service of the public. It is with that view that we have introduced a clause, not obligatory, but which I expect will in course of time become obligatory and the public will be assured of safe places where they can go and have their ordinary toilet performed without fear of any infection.

" Now, another addition which we have made in this Bill is the power given to the Government and the health authorities in emergencies to call and commandeer the services of medical practitioners in that area; for no effective process of prevention is at all possible if the large army of medical practitioners settled down in all parts of the Province are not taken into consideration. This fact was impressed on my mind during one of the very severe epidemics which took place in Guntur last year, when cholera

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was raging for over three weeks, taking a toll of about 500 to 700 human lives. I found that the health staff was not able to meet the situation. But curiously enough, I found that no attempt was made to get the services of the local practitioners. And when I went and asked the practitioners, they said: 'We were not called and we were doubtful whether our services would at all be acceptable to the department.' Then I told him, 'Your services are welcome.' I am glad to say I found everyone of the practitioners responding to the call, each one dividing the city into units and making himself responsible for the preventive methods in his own unit, with the result that in about a week's time we found we were able to eradicate the disease from the city. This experience led me to believe—and I have been able to carry conviction to the Select Committee in this matter—that an enlarged sanitary staff, either honorary or even on some consideration, is worth providing and that if this provision is not made, this Public Health Bill is not worth the paper on which it is written.

" That all qualified practitioners and even those very many 5 p.m. who are unqualified and even persons who know something about sanitation and health are called upon to work in this behalf, is the one other important feature of this Public Health Bill, and I am sure no citizen would shirk the duty imposed upon him. In the matter of honorary work, I will not hesitate even to indent upon the services of lawyers or professors or lecturers. Further I wish to commandeer every legislator in this House, and ask him to be an honorary health worker so that he may go and influence his voters and speak to them of the various preventive measures that will be necessary to protect the health of our Province. For, after all, in a Health Bill of this nature, it is public co-operation that counts more than the executive authority. Our people will naturally find these new methods of prevention to be somewhat strange and inconvenient, for they have been accustomed either to attribute the prevalence of a disease to fate or to get away from the area, carrying it to a lot of other places. Therefore, popular agitation and the right to commandeer the services of all intelligent people in this Province is the inherent duty of a popular Government, and having realized the responsibility of the Government in that manner, we have not hesitated to put a clause in this Bill to the effect that the services of all people, even an ordinary citizen who knows something about health, shall be an additional advantage—a very useful advantage—in combating disease and in combating ill-health.

" There has been a question very prominently discussed even here in this Assembly, and that relates to finance. People seem to be scared away by the idea that a further demand will be made and perhaps that local bodies will be placed in a difficult position of finding the necessary funds, unless it be by way of additional taxation. But I am afraid that those who raise this bogey of

finance have not studied the Bill in all its aspects. A minimum of 30 per cent of the income of a local body is asked to be ear-marked for health purposes. But when we ask it, we include medical service in its work. This is the point I want to make perfectly clear. Although the members of the Select Committee wanted 30 per cent to be entirely for public health, I was prepared to consider the expenditure on hospitals and other medical services as expenditure on public health, and this decision the Government have been able to arrive at after consulting statistics and figures and knowing the amount that is being spent by local bodies on their health departments. To-day the average amount that is being spent by a local body in the health department is nearly 32½ per cent of its revenue. This 32½ per cent shall not in future cover the Government grant that is being given to the local bodies. That is to say, this 30 per cent to be ear-marked is only with regard to the total income derived by the local bodies, excluding the Government grant and this 30 per cent is made obligatory on the part of the local bodies. While I feel that the local bodies will not only not hesitate to set apart this sum but also find themselves in a position to provide money for that, what I am afraid of and what I request them to do is this: 'Please for God's sake do not reduce the amount that you are already spending over and above 30 per cent on health matters, because the legislation enjoins on you to set apart only 30 per cent of your total income!' I am also afraid that some clever municipalities may cut down their expenditure on health establishments to 30 per cent where they have been spending nearly 50 per cent or so. The minimum set apart in this Bill is for the inefficient municipalities and not for such municipalities as the Corporation of Madras or for the matter of that other big municipalities that are at present spending more money on their health departments.

"I now come to the local boards and the panchayat boards. The financial obligation imposed on them is 12½ per cent. The same rule of exclusion of Government grants operates on them also. But to-day statistics of health expenditure with regard to local bodies other than municipal corporations work out to 8·32 per cent, and what the Government to-day feel is that local authorities other than the corporation and municipal councils are not spending as much as they should for health purposes. That being so, is not an additional expenditure of 4 per cent necessary in the interests of public health? In fact, health control is more essential in our villages than in our towns, and the question of protection of people against disease is perhaps more all-absorbing in rural areas than in urban areas. In view of this and in view of the fact that the masses in our villages are steeped in ignorance, poverty and squalor, is it not the duty imposed on us to make a demand from the local authorities to devote a little more of their finances than they have been doing hitherto in regard to matters

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of public health? There are certain panchayat boards which are not spending on health matters even as much as 5 per cent of what they are spending in other departments. Therefore, while the Government help these bodies in matters of public health by providing grants for health projects, they are asked to spend a certain amonnt of their revenues in this regard.

" Another thing that I wish to bring to the notice of this House is the innumerable fairs and festivals which make a huge demand on the finances of the local bodies for public health expenditure. From my experience as one responsible for the administration of religious endowments as well as the health of the Province, I find that the demand made by almost all local bodies on religious institutions for defraying the expenses incurred in connexion with health and sanitary arrangements made in that local area where the fair or festival takes place, has not met with sufficient response. While income derived from holding the fair or festival goes to the religious institutions, the local body has to spend all the money necessary for health purposes. Therefore it is but right that the local bodies should get a contribution from these temples and religious organizations who benefit by these fairs and festivals. It is a fair demand, but at present we cannot lay our hands on these trusts and temples and ask them to contribute towards the expenses incurred by the local bodies in regard to health matters. We have therefore to find a device by which this could be achieved. We have taken power under this Bill to empower the local bodies to levy pilgrim tax on passengers leaving either by steam vessels or ferry boats, and tolls on carriages and carts that come into the fair or festival area. These taxes and tolls are to be handed over to the local bodies to meet the expenses on health requirements. These taxes and tolls are to be levied only as a temporary measure and are to be collected only during the period of the fair or festival but not always, just to enable the local bodies to get some relief to meet the health expenditure. To that extent, we have made it obligatory.

" The next question that was rightly asked is this: 'You have taken so much power for the Health Officers; you have made them really despots in their own sphere. Could you allow them to go on without any check or interference or control over their actions?' There is certainly control over their work, and if the department that gives them power is not in a position to control them, then there is no use in vesting in them so much power. Bnt the implication of this fear is the inefficiency of the department, and I am here to accept that challenge, for I maintain that the Health department is working very efficiently, and given this power, I say they are going to work much better. Therefore it is safe that we get rid of the suspicion of those employed in the department. Yet, human nature being what it is, it is just likely that people might have this fear. In order to allay this,

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all we can do is to make a statutory provision against this fear. We have made provision that a Health Officer is liable to severe penalties if he maliciously misuses the power conferred upon him, and similarly the same penalties will be imposed on every member of the staff who may maliciously misuse his power. But over and above this, if protection is not given to them, it will look as if we are throwing them to the wolves and punishing them with a legislation of this sort. Therefore, we have provided that they should be protected in the discharge of their lawful duties. While the Government have given them as much protection as is necessary to discharge their duties, they have also provided penalties for the wrongful discharge of their duties or malicious misuse of their power. Therefore, you will see that in this legislation we have protected the people; we have also protected the Health Officers. We have given more power to the Health department and a greater responsibility to the whole of the medical profession. We have also taken into consideration the financial aspects involved in this whole question, and I might say without any fear of contradiction that viewed as a whole, the provisions in this Bill are themselves a proof positive of the genuine attempt that has been made to confer some amount of public health on the people of our Province. This in itself is the only justification, if not any other, I have for bringing forth this measure even at the risk of inconveniencing our people who complain, 'Why not wait for some time longer? We have suffered from diseases till now and we can suffer for some time longer!' It is of course a very good philosophy. But given the choice and given the power, I do not want to allow even a single soul to die in this country, if I can possibly prevent it. My anxiety and my desire to put this law into action is not so much to arm the Health Officers with power as to protect the lives of the citizens—the innocent child, the old woman and the strong and well-built coolie who are all now in such an unprotected state in this Province and who easily become victims of every kind of disease. As a medical man myself and as one who knows something about the preventive side of diseases, given the necessary power, the necessary knowledge and the necessary equipment, I dare say I can prevent diseases if only I have the way and the will to do it. I having said this much and claimed the services and co-operation of every individual, man, woman and child, you will concede that I have a genuine desire for the administration of public health in this Province and to put into force a measure of this kind. Further I contend that this measure is of first-rate importance, no less necessary, and no less urgent than the Prohibition Act or the Debt Relief Act. This is the Death Relief Act, and if by this Act, people will be prevented from dying, it is certainly more essential than any other enactment that we have put forward in this Legislature. Therefore if I press this measure through, even in spite of those complaining

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of lack of time, it is not a question of prestige, but it is a question of losing time, a question of life and death. So I plead with all the emphasis I can command that this Bill may be allowed a smooth passage in this House.

"There are only two other matters, Sir, to which I should like to refer. Objections have been received by me from various local bodies that they do not find in the Bill any provision against beggar nuisance in the City and elsewhere. I must confess that despite the genuine sympathy that I have for members of the two Houses, I am at a loss to solve the problem. Ours is a land of charity and beggars; and it is very difficult to know who is a beggar and who is not one in this country. Perhaps some are rich beggars and some are poor beggars; and therefore, in between rich beggars and poor beggars it is very difficult to solve the problem. As I said this is a land of beggars and this is a land of charity. I know there are several endowments made in the cause of charity; they have not been misused and provisions also have been made already to see that they are not misused. Our whole Province is spotted with choultries, feeding-houses and rest-houses, and all these bear testimony to the generosity, fellow-feeling and the spirit of humanity that prevail among our people. We have not sufficient power; we are still in a subordinate position and we have to fulfil the duties that have been handed over to us as best as we can. It is not for me to draw in lurid colours the beggar problem to-day. With regard to the beggar problem I must confess my incapacity to solve the problem. But I believe that people are still generous enough, have fellow-feeling enough and humanity enough to provide for relief to the beggars. I appeal to those who are in a more fortunate position to come forward and provide relief to the poor; and it is with that desire that I have refrained from making any provision in the Bill. Suppose I bring in a piece of legislation with regard to the beggars, and if it is to be carried out, where am I to take them? Am I to take them to the Bay of Bengal; am I to segregate them all in one place? It is absolutely impossible; it is unthinkable; the whole thing will appear to be an amusing spectacle and nothing more. Therefore the only thing possible is that local bodies should rouse in the minds of their citizens a sense of their public duty, a sense of civic consciousness and in this way alone will it be possible for them to solve the problem. 5-15 p.m.

"Then the question has been raised by various people and local bodies that provisions with regard to birth and death registration do not find a place in the measure. To them I have to say, that it is needless to provide for them, since we have already provided for these in the Local Boards Act. And I may remind the House that under the Act registration has been made compulsory. So it is unnecessary to repeat them here, in a health enactment; and therefore on the ground of superfluity, we have not included those provisions in this measure.

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"Another question raised is: 'What about the stray dogs in our streets?' It is difficult to deal with them. Our land is one of stray dogs; we do not consider them as precious things; hence we allow them to stray about like donkeys. But at the same time it must be remembered and recognized that the stray dogs are doing a great service to us. The question was raised in the Select Committee, and the Hon. the Premier drew an interesting picture about the ethics of the stray dog; and I would like to repeat it here for the beauty and implications of it. Stray dogs are the guardians of our villages. If any stranger enters the village unasked, all the street dogs bark at him and warn the villagers. They are not looked after by anybody; yet they are faithful enough and they save the villagers from outsiders. (Mr. G. Krishna Rao: 'They are the police.') And in fact as my hon. Friend says, they are the police of the villagers. At least we should have the heart to appreciate the good work done by them; we should realize that we do not care for their existence; we do not feed them; we do not shelter them; but all the same they protect us; they guard our dwellings; and they guard our property. But when they live upon the offals and eat the refuse thrown in the streets—if you allow them to do that, they become unhealthy, contract disease, turn rabid and become a nuisance and a danger to public health and life. But if you look after them carefully they are your servants. So let us not neglect them; let our humanitarian sympathy be extended to them and let us not kick at them and starve them. We do not starve our cows; we do not allow them to be killed; and even so let us care for our dogs. We have already provided for such of the dogs that turn rabid to be caught and put to death with the *least cruelty by putting them in a lethal chamber. And if over and above all these things, if anybody is bitten by a rabid dog, we have made provision for treatment in all hospitals at the cost of the local board concerned by stocking the necessary vaccine. This has been made an obligation on the local bodies to discharge, and so, for all these reasons it is not necessary for me to make any provision in this measure.*

"I have received one very important communication from the Society of Naturopathists. They are a very interesting set of people. I am myself a naturopathist. I would not take any medicine if I am able to do so. I would like to get on without medicine: and if only all live according to the laws of Nature everybody will have a healthy life. If naturopathy means that by the fulfilment of natural laws a healthy life can be led, diseases can be prevented, I vote for it first and foremost, as it is based on reason and as it is based on science. And I would assure you it would be wrong to ignore it. But a human being under modern life cannot always live on the lines of Nature. He has to wage a war against Nature; and human beings have sometimes to exist violating the laws of Nature. In big cities and in

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crowded places, people cannot live observing the laws of Nature, and more often than not, they have to violate the laws of Nature. Consider the life of factory workers, workmen in workshops and so on. Can they afford to live a life observing all rules of health according to Nature? Therefore I have to say to the naturopathists that when we are face to face with epidemics, how else can we live without enforcing these provisions? The poor people cannot afford to live in palaces; they generally live in thatched houses; they cannot afford to live on dried fruits or fresh fruits. Naturally their life exposes them to disease, and so it is necessary to have a Bill of this kind. I want to protect them; I want to put an obstacle to death carrying them away untimely; I want to get remedies for them against disease and I want to assure them a good and healthy life; and I also want them not to become a source of public danger. Therefore in the interest of the protection of the general life of our people and in the name of the health of our people I have chosen to bring this measure. If naturopathists feel that they do not require these laws for them, let them escape to the unaffected area, if there is one, in times of epidemics, and thus avoid me and my health staff. Let them not stay and put obstacles in our path. This is not the time to go into the question of the feelings of the people or into one's conscience. It is a matter of life and death. It may be that science to-day has not advanced so much as it would be to-morrow but in the light of the knowledge we possess, in the light of the experience gained by nations all the world over, we have to tackle the problem by health measures. If we do not see eye to eye with the naturopathists and others of their view, I would ask them to hold on for a while and allow us to do what we can according to what science has taught us, according to what experience has showed us and according to the knowledge available to-day. If to-morrow we have to change our opinion in the light of advance of science, I submit I will be the first man to declare that this enactment requires to be changed. Once more I concede naturopathy is good. But all men cannot lead ideal lives. Given normal conditions, each man taking normal rest, normal food, plenty of fresh air, fresh water and scientific food, there is no need for a medical man or medical aid, or health law. Health legislation is a situation that has arisen as a consequence of human development; and to that extent I must confess you should support me independent of your personal conviction.

"Mr. Speaker, I have only to say that in the consideration of the various objections and suggestions put forward I have tried as far as possible to meet them; and I have also taken care to see that in the working of this measure there is no room for any conflict between the Public Health staff and the general public I am confident that when this Bill is put on the statute book it will certainly improve the health of the Province and would go far 5-30 in fighting disease. I wish also to claim for our Province, of all p.m.

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the Provinces in India, the first place for bringing in health legislation. It would be the privilege of the members of this Legislature to pass a measure of this kind. I thank the House for the kind hearing given to me. I have fairly exhausted the points covered by the Select Committee and I leave the Bill in the hands of the House." (Applause.)

Mr. G. E. WALKER:—"In supporting the motion for consideration of the amended Bill, I should like to congratulate the Government and the Select Committee on the changes which they have made. Most of the features which the European group criticized in the Bill as originally presented have been set right, and apart from one important matter which I shall mention shortly, the Bill, as it emerges from the Select Committee, is a much more acceptable document than it originally was.

"This is especially the case with regard to the chapter dealing with venereal diseases, and I think that the Hon. the Minister is to be congratulated on his courage in realizing that his first proposals were too much in advance of public opinion, and in giving way to the opposition which those clauses aroused both in the Select Committee and the public generally.

"In chapter VII, part III, as it now stands, there seems to be a moral which I hope will be taken to heart by the executive officers who will have to administer the Act. The part now consists of two main clauses. The first of them will make the proper medicine and treatment available to venereal patients, and the second emphasises the necessity of education. The medical practitioner must 'impress' on the sufferer the 'necessity for treatment,' 'instruct him,' and 'furnish him with information.' Those two clauses, I suggest, embody the entire principle of this Bill: have your remedy available, but above all teach the people the necessity for it, and educate them in its proper use. The way in which this measure can have its greatest success is by educating the public in the necessities of hygiene. No amount of efficiency on the part of the Health Officers can really solve the problem. The Act will not be a success until the public realizes that the small details of personal and household cleanliness are of even greater importance than the provision of vast water-works or drainage schemes.

"I hope this won't be taken as a pharisaical remark—a sort of 'Thank God I am not as other men' comment. Education in these matters has been a recent enough development in all countries. The Palace of Versailles was built less than 200 years ago in France, and we know that the courtiers petitioned the King for flowerbeds to be planted between the palace walls and the terrace, so that the ladies and gentlemen should not be spattered by the slops emptied from the bedroom windows as they took their morning stroll. And if that was the life in

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palaces, how much worse must the poor have been? Much can be done by education even in a single generation, and I hope that that aspect of the matter will not be lost sight of by those who have to administer this Act.

"There is one criticism which I have to make on general topics. We, on these benches, have so often had occasion to reproach the Government with *their unnecessary haste in* pursuing legislation that I don't want to appear to be harping on an old theme. But I feel that the Select Committee has been required to do its work in a needless hurry. I admire the fortitude of those who sat daily from 10 a.m. till 6 p.m., considering the details of the Bill, but I see no reason why this strain should have been imposed on them. Further, it has led to at least one omission from the Bill as presented to us: in chapter V, the word 'latrine' (which is carefully defined for us in clause 3), has been taken out, and 'sanitary convenience' substituted; but no definition of the new term is incorporated, though (like most unnecessary euphemisms) it is a much more indefinite phrase than the sound dictionary word 'latrine.'

"Again, the breathless haste with which the earlier stages of the Bill were conducted has led to the official copies being reft from the unfortunate Government printers with a glaring mistake in clause 16, where the word 'approval' appears, though the Report and the minutes of the Select Committee show that 'appeal' was intended.

"I submit that we gain nothing from haste of this kind, which deprives our legislation of even elementary carefulness in its preparation.

"I have at present only one criticism to make of the Bill as amended by the Select Committee, and that is in relation to the provisions for appeal against the decisions of the Health Officers. The change made by the Select Committee in clause 16 does not go quite so far as the Members of my group could wish. The point is this: as framed at present the Bill only provides for an appeal against the decision of the Health Officer in the exercise of those functions which he will take over from the present executive authorities of the local boards or municipalities. It does not provide any appeal from decisions arising out of powers expressly conferred on the Health Officer by this Bill. Those powers are very wide—cf. clause 23 (24 as now renumbered), 43 (44), and many others. The European group feels that some form of appeal ought to be provided against decisions which may involve members of the public in substantial expense.

"Some of my friends on the Treasury Benches have privately expressed the fear that the Health Officers will not take full advantage of the powers given to them. My own fear is that they may take too much advantage, and that the public should be protected

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from the consequences of too much zeal, or officiousness, or even—we must face the possibility—a downright misuse of powers.

" Amendments to cover this point will be tabled by the European group, but I want to bring the matter to the Government's notice for this reason: we have no wish to be unreasonable, and quite realize that it will never do to have the work of the Health Officers hung up—and the Hon. the Minister's tapal box filled—with appeals over every odd rupee that somebody may find himself called upon to pay. And I suggest that the Government should recognize the justice of our apprehensions and bring forward their own amendment, showing how far they are willing to go. I think I can speak for my colleagues in saying that we should be perfectly content to have the present provision for rules to be prescribed setting forth the circumstances of appeal, extended to cover all decisions of the Health Officer and not only those dealt with in clause 16 (*1*).

" That is all I have to say on the Bill at this stage. I hope that the question of appeals may be adjusted. But apart from that I think that the Select Committee deserves the very warmest congratulations on the amended Bill which it has laid before us."

III.—SHORT NOTICE QUESTION.

Mr. SPEAKER:—" The Hon. the Premier wanted to say something about a question? "

The Hon. Sri C. RAJAGOPALACHARIAR:—" The hon. Member concerned is not here."

Mr. SPEAKER:—" He may be sent for if his presence is required."

The Hon. Sri C. RAJAGOPALACHARIAR:—" The hon. Member is not here even to listen to this announcement. I was only waiting for him."

Mr. SPEAKER:—" I do not know whether he will come or not. I do not think . . ."

The Hon. Sri C. RAJAGOPALACHARIAR:—" If I will be permitted, I will take the opportunity the moment he comes in. He may not come."

Mr. SPEAKER:—" The Hon. Premier may make the announcement. The hon. Member may be sent for."

The Hon. Sri C. RAJAGOPALACHARIAR:—" Mr. B. Bhakthavathsalu Nayudu spoke something which I did not quite follow with reference to a short notice question he had given notice of. I expected that Sir Pannir Selvam would have given notice of that question and I was telling him that I was going to

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send for the papers to give the answer. I have now received the file and the answer is ready. The Hon. Minister for Courts and Prisons will answer the question. It happens that it is Mr. Bhakthavathsalu Nayudu that has put the question. If he can possibly come here before we adjourn, the short notice question will be answered. The Government are quite prepared with the answer."

MR. SPEAKER:—"The question will be taken up after this motion is finished."

IV.—MESSAGES FROM THE COUNCIL.

MR. SPEAKER:—"I have to announce to the House that messages have been received from the Hon. the President of the Legislative Council that—

(1) the Removal of Civil Disabilities Bill (L.A. Bill No. 9 of 1937), as passed by the Assembly, has been agreed to by the Council without any amendment,

(2) the Madras Prohibition (Second Amendment) Bill, 1938 (L.A. Bill No. 18 of 1938), as passed by the Assembly, has been agreed to by the Council without any amendment,

(3) the Madras District Municipalities and Local Boards (Amendment) Bill, 1938 (L.A. Bill No. 19 of 1938), as passed by the Assembly, has been agreed to by the Council without any amendment,

on the 12th December 1938."

II.—THE MADRAS PUBLIC HEALTH BILL, 1938—*cont.*

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—"Mr. Speaker, I should like to associate myself with the previous speaker, Mr. Walker, in offering my congratulations to the Hon. the Mover of the Bill on the very eloquent and able manner in which he has explained the various aspects of the Bill before this House. Sir, good doctor as he is, he expressed his desire not to allow even a single soul to die if it were possible for him to do so. Unfortunately, he has no control over the soul as some one else has control over the soul. Nor has he control over the body because the laws of Nature are stronger than he. Anyhow, his ambition, in trying to wipe out disease and death, if it were possible, from the suffering humanity is admirable and deserves the thanks of this House." 5-45 p.m.

[At the stage the Deputy Speaker Mrs. Rukmini Lakshmipathi took the Chair.]

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* SRI DIWAN BAHADUR A. APPADURAI PILLAI :—" There seems to be a great deal, Madam Deputy Speaker, of confusion in the arrangement of the various provisions of this Bill which can be seen at a casual glance.' It is so for the simple reason that this Bill is at best a patchwork. The explanation appended to the original Bill will clearly show that the Hon. Mover of the Bill and the Secretariat have been freely borrowing from several existing enactments like the English Public Health Act, the Bombay District Municipalities Act, the Calcutta Municipal Act, Local Acts like the Madras Local Boards Act, the District Municipalities Act and the City Municipal Act, the Madras Prevention of Adulteration Act, the Cantonments Act, and the Bihar and Orissa Places of Pilgrimage Act. The various provisions of the Bill having been culled from the existing enactments, there has been no doubt confusion in the arrangement of the matter so far as this Bill is concerned. I refer particularly to the confusion that has been caused between public health and sanitation. These are matters controlled by two different administrative heads and it would have been very much better, when dealing with the various provisions relating to them, if they had been kept separate. Unfortunately we find an unconscious overlapping of the provisions relating to sanitation with those relating to public health. It is not my purpose to take this House into the various difficulties that led to this confusion, but I would simply, for the sake of illustrating my point, refer to one or two instances. We find 'Food Control' consigned to chapter XII of the Bill, while as a matter of fact, food, air and water-supply being the most important ingredients of public health ought to find place in the first or the second chapter. Food, water-supply, prevention of diseases, maternity and mosquito, should probably come under the public health; sanitation and buildings, lodging houses, sanitary conveniences, abatement of nuisance, drainage, fairs and festivals-controlling authority, finance and rules should probably come under sanitation. Such an arrangement would have maintained the sequence of the various provisions of the Bill.

" Madam, either the Mover of the Bill or the Members of the Select Committee did not consider it desirable to go into the arrangement and I would therefore leave the matter there and offer just a few remarks with reference to the contents of the Bill.

" In the first place, I would like to express my disappointment at the constitution of the Health Board. The Health Board that is to be formed was originally intended to consist of seven members including three members to be elected from the Legislature (one from the Council and two from the Assembly). I find that in the Select Committee, as a result of its deliberations, the elected members have been dropped and three members are to be nominated. I strongly protest against the introduction of the nomination

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principle into this Bill. It has been the accepted principle among us that as far as possible nomination should be avoided on any ground in the matter of public administration. We find from the present Bill that a policy to resort to nominations is being reverted to. My submission is that it would have been much better if the elective principle had been maintained in the Bill. After all, the Health Board, as has been observed in some of the newspapers is a packed board and the nomination of some members to that Board seems open to serious question. Then again, in the existing Public Health Committee we find two important heads of departments representing their departmental administration, namely, the Sanitary Engineer and the Director of Town-Planning. In the Bill as it emerged from the Select Committee, we are glad to find the inclusion of the Sanitary Engineer, but unfortunately, for some reason or other which the House is not aware of, the Director of Town-Planning has been dropped. It would have been much better if the Director of Town-Planning, who forms an integral part of the public health propaganda, had found a place in the constitution of the Public Health Board. Instead of the Director of Town-Planning, I find an experienced officer of the Government is to be nominated and this sort of nomination at every turn to form a docile Board seems very unfair. In place of this nominated Government official, the Director of Town-Planning would have done much better.

" As regards the nomination of Members from the Legislature, I would like further to say that the inclusion of three Members from the Legislature in the Public Health Board may not, after all, be very necessary for the simple reason that the advice and the suggestion of the Members of the Legislature are always at the disposal of the Government, either on the floor of the House or outside it and I do not see any reason why the Members of the Legislature should find a place on the Public Health Board. I would, therefore, Madam, request the Hon. Mover of the Bill, as it is not too late, to consider even at this stage the reconstitution of the Board and see that these defects are rectified.

" My next point is with reference to the autocratic powers that have been granted by this Bill to the Health Officers and to the Director of Public Health. There has been considerable agitation both on the platform and in the Press about the enormous powers that are sought to be vested in the hands of these officers under this Bill. The Director of Public Health is made the highest appellate authority. That seems to me not fair. Besides, I forgot to mention while I was talking about the Public Health Board about the inclusion of the Director of Public Health as Secretary to the Board. That seems irregular, if not unworkable, for the simple reason that as the executive head of the Public Health department and as a subordinate of the Government it is but necessary that he should be out of this Board as far as possible. It

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would be embarrassing both to himself and to the Government in respect of any condemnation or criticism about his actions, that he should be present at the deliberations of the Public Health Board. The Hon. Mover of the Bill when dealing with this point explained to us that it was considered necessary to include the Director of Public Health in the Public Health Board for the reason that on questions that come up before the Board, the Director would be in a position to explain matters, and enlighten the Board which no other member would be able to do. As I have already mentioned, as a subordinate officer of the Government it would be embarrassing for the Board to find fault with him in any matter. If the Board wants to comment upon his work, it would be very embarrassing for it to do so; and it does not seem desirable that a subordinate of the Government should sit on it, and influence its opinion as he thinks fit.

"Dealing with autocratic powers, I have to state that in clauses 13 and 14, and the succeeding clauses the Director of Public Health has been made the final appellate authority for the actions of the subordinates and of the health staff. That seems to be a great deal more than what we are used to. In matters of public administration there should be an appeal provided from the Director of Public Health to the Government in order that the latter may keep the ultimate control in their hands. No doubt, Madam, the rigour of the provisions of the Bill has been considerably modified, by the inclusion of the words 'in consultation with the executive officers.' We know what 'in consultation' often means. Very often it will not be possible for the Director of Public Health to come to an agreement with the executive officers of the local authority or authorities. Thus, it would very probably be that in nine out of ten cases the Director of Public Health would score so far as his remarks and advice are concerned. Therefore the mere insertion of the words 'in consultation with the executive authorities or the local authority concerned' would not save the situation. I think the better course would be to provide for an appeal in all these cases from the Director of Public Health to the Government, instead of constituting him into a small Government within the Government as I have already referred to elsewhere.
p.m I would also, in this connexion, take objection to the provision of appeals to the Commissioner of the Corporation in Madras and to the Commissioners of municipalities in the case of the district municipalities. Appeals to these officers from the Health Officers seem to be final. After all, there are several Health Officers who draw much higher salary and occupy much better positions than the Commissioners themselves. To constitute the Commissioners as the final appellate authorities sitting in judgment over the Health Officers or health subordinates seems to be out of place. I would very much like to see an appeal provided for in this Bill to the Government even with reference to Commissioners of the district municipalities or of the City.

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" I am very much disappointed, Madam, in spite of the long explanation given by the Hon. the Mover of the Bill, to find that the beggar problem in the City of Madras and in the districts has not been squarely dealt with. There was a long disquisition on the part of the Hon. Mover of the Bill as to the necessity for having beggars. We do not grudge having beggars. The Hon. the Mover of the Bill, if I may be allowed to say so, has missed the point while stating that our Sastras and our Vedas and all our holy books prescribe charity, and it would be uncharitable to provide any coercive measures in the Bill as against beggars. It is not anybody's intention to ask for any coercive measures as against beggars. What is wanted is that the congregation of beggars from the mufassal places into the City and the very inadequate provision that is made for these unfortunate souls in the City should be remedied. We find that a number of beggar families are squatting upon road margins and under the shade of trees. They cook their meals there, they live there and they have no protection from sun or rain. If we are going to be charitable enough, if the Government are disposed to be charitable to beggars, does it not behove them, to make suitable and adequate provision to shelter these beggars? This question has been ventilated on the floor of the House for some time past. Even quite recently, Madam, during this session, one of the lady Members asked a question as to what steps the Government proposed to take for dealing with beggars. We got no satisfactory reply and we find that this Bill unfortunately has left the beggars in the lurch. On the other hand, we had a long explanation, from the Hon. the Mover of the Bill that it was not found possible for him to provide for beggars or to face the question of housing them and providing for their rations. Madam, any civilized country ought to be ashamed of itself if it is not competent enough to deal with the question of beggars in a satisfactory and statesmanlike manner. Here, we have beggars; not only ordinary beggars but beggars afflicted with tremendously infectious diseases, particularly leprosy. How often do we come across beggars rubbing shoulders with the public in places of public resort such as railway stations, bazaars, bus and tramcar stations? Nearly all public places are infested with beggars afflicted with leprosy. We pity them no doubt, but at the same time, we plead for sufficient accommodation, sufficient segregation camps, sufficient isolation camps for them, houses or asylums for those who are inflicted with this dire disease, where they could pass their days in comparative ease and contentment, instead of being allowed to roam about in batches in public streets and in public places, carrying infection wherever they go. We have been told, Madam, on the floor of this House that there are lepers and lepers; that it is not all lepers that carry infection, only certain lepers carry infection at a particular stage of the disease. That may be true; but it behoves the Government to take sufficient steps to see that these beggars, particularly

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lepers, are housed properly; that some provision is made in this Bill for these unfortunate members of society. It is not possible, Madam, to formulate Health Bills now and again. The Hon. the Mover of the Bill has our hearty and warm congratulations on the courage that he has exhibited in placing this comprehensive measure before this House. Will it be possible now and again to pass Health Bills of this kind? Is it not time for the Government to take time by the forelock and when there is this opportunity, to face the problem of beggars and lepers squarely? Madam, power should be taken in the Bill to prevent the exodus of beggars into the City and into the towns from the villages and rural areas. I remember that the Municipality of Ootacamund has taken steps in the matter of collecting these beggars in batches and bringing them down to Mettupalayam and leaving them there, providing them with food and lodging on the way. I have seen oftentimes batches of beggars being taken along the Ghat Road from Ootacamund or Coonoor right up to Mettupalayam. Madam, the danger from these beggars is two-fold: there is the danger of infection from the dire diseases from which they suffer; secondly they make the public places absolutely unclean and insanitary. If these two dangers are to be avoided, some method of collecting these beggars in batches and sending them back to their homes seems to be necessary. I may be considered to be rather hard, if I make this suggestion; but it is my humble opinion that every local board must face the question of making some provision for its own beggars and diseased people. It is not proper for the local boards to pass their beggars from time to time to the cities and to the Metropolis endangering the lives of the citizens and carrying infection to them.

"I also find, Madam, that no provision has been made in the Bill regarding death from poisonous snakes. Death from poisonous snakes is very common in our villages; and a health Bill which aims at the prevention of infectious and other diseases, and which aims at protecting life from danger should make provision for the prevention and cure of snake-bite. If statistics are looked into—I am sorry I have had no time to collect statistics at present, but I shall do so in course of time—they will show that the mortality from snake-bite is very heavy. Villagers who are out guarding the fields and watchmen who are out guarding godowns and properties belonging to their masters are often exposed to this danger of instant death from snake-bite. If some provision is made in the Bill to include the prevention and cure of snake-bite, so as to minimize mortality on this account, it would be quite welcome.

"Madam, with these remarks, I should like to reserve my right to move amendments when the Bill comes up for consideration. We are very thankful to the Hon. the Mover of the Bill for the opportunity he has given us to study the various Acts

from which the present Bill has been culled out, and sufficient time to draw up our amendments and place them before this hon. House for consideration."

* SRI V. S. R. M. VALLIAPPA CHETTIYAR:—"Madam, in supporting this measure, let me heartily congratulate the Hon. the Minister for Public Health on the courage, enthusiasm, and the intimate knowledge of local needs he has revealed in framing this Bill. Hundred and fifty years of British rule in this unfortunate country of ours has not taught us the rudimentary principles of public health. It has fallen to the lot of the Congress Government to tell and teach people that they should not throw the rubbish collected in their houses in front of their neighbour's house.

"There are many salient features in this Bill, which every hon. Member knows and I shall not waste the time of the House by cataloguing them. I shall, however, attempt to explain certain changes, which the Select Committee has introduced in the original Bill. The Committee carefully went through every line of the Bill and has deleted many objectionable and controversial clauses, not to speak of the innumerable modifications made in the other clauses. As many as twenty-two new clauses have been added and those clauses empowering the executive authorities with extraordinary powers have been checked and curtailed and those demanding handsome contributions from local authorities have been modified to suit their financial condition.

"It is said that this Bill confers dictatorial powers on the Health Officers and makes them all powerful in local areas. I submit, Madam, that it cannot be otherwise if we honestly expect full success in the actual execution of this measure, and if the tax-payer wishes to get the full return for the amount that is spent on health matters. At any rate, until our people learn their individual responsibilities, the implications of civic laws, and know how to conduct themselves in affairs relating to health, we should have an iron hand to rule over us and put us in the way when we err. But the Select Committee has taken care to see that the Health Officers or any executive authority for the purposes of this Bill do not abuse their powers, and severe punishment awaits those who knowingly and maliciously misuse their powers. This, I hope, Madam, will certainly disarm the fears entertained by some about the vast powers entrusted to Health Officers.

"Sanitation is awfully neglected in rural areas and this Bill is more needed in villages than in towns, where we have already some authority to look after public health. Leaving aside the municipal and panchayat areas, if one visits the innumerable villages in the interior under the district boards, he will find the condition most disgusting. Rubbish heaps, stagnated drainage water and other decomposed substances emitting offensive and foul

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smell are quite common sights that one comes across in every one of these villages. To be frank, the health staff in rural areas till now were attending mainly to vaccination and to the cleaning of a few villages once in a year during fairs and festivals and otherwise attending to them only after a severe outbreak of epidemics like cholera. The slender finances of the district boards, especially after the abolition of toll gates, did not permit them to undertake measures to ameliorate the sad plight of these villages, with the result that they are neglected. So, this Bill is a great boon to the rural areas.

"A cry is raised that the powers of the local authorities are being taken away by this Bill. But the fact is that real and new powers are being given only now by this Bill to the Health Officers for the proper execution of their onerous duties. This Bill no doubt makes the Health Officer omnipotent, but at the same time makes him solely responsible for attending to public health matters in local areas.

[At this stage the Speaker resumed the Chair.]

6-15 p.m. "Sir, certain far-reaching modifications have been made by the Select Committee, so as to give an entirely new tone and colour to the original Bill. For the first time 'Hakim' and 'Vaidya' are given a status by this Bill. In clause 14, an important change has been introduced by the Select Committee, relating to the powers of the executive authority over the health staff, by subjecting all appointments, transfers and punishments of the members of the public health establishment to the approval of the executive authority. In clause 60, payment of compensation has been made obligatory and not discretionary and this saves the poor inhabitants of huts and sheds from untold sufferings by the destruction of their property. Infected persons who are prohibited from using any public conveyance will find a solace in the new sub-clause under clause 69. Clause 71, which empowers Health Officers directly to prohibit assemblage has been completely altered so as to prevent the misuse and infringement of civil liberty by a non-judicial officer. The interests of businessmen and industrialists have been well safeguarded by the modification of clause 93 with the right of appeal for the aggrieved party to the Government. The infringement on the proprietary rights of wells, tanks and other private water-sources is prevented by the modification of the original clause. The danger of entrusting elected non-official persons with police powers such as arresting persons, have been avoided by the new definition of the 'executive officer.' The inclusion of the cost of 'medical relief' also in the compulsory ear-marking of funds for public health under clause 130, will be a great source of satisfaction for local boards and municipalities. I am sure, Sir, the clamour of poor finances of local bodies will no longer stand good.

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"Sir, in the midst of my rejoicing over the introduction of this Bill, I will not be true to myself, if I fail to express my dissatisfaction and disappointment over certain changes made in this Bill by the Select Committee. I refer to that part of this Bill, which deals with venereal diseases. Originally it consisted of nine clauses out of which six clauses have been altogether omitted by the Select Committee and even the remaining three clauses contain nothing but pious wishes, with neither the provision nor the authority to carry out any obligation on the part of anyone. The result is that the problem is not tackled and the future remains as dark as before. The accommodating nature and the policy of give and take of the present Government was taken undue advantage of by my hon. Friend, Mr. Krishnamachariar, who, though in a minority of one, has managed to completely destroy this portion of the Bill in the Select Committee. This important item of public health and the deadliest source of infection has been left out to prey upon society. I consider this a serious omission and I appeal to the Hon. the Minister for Public Health to introduce the omitted clauses either by way of amendments or in the form of a new comprehensive Bill after some time, when I hope, public opinion would be far more advanced and ripe enough to demand the inclusion of such an important item in public health.

"Sir, on the whole, this Bill is a non-controversial and welcome measure embodying purely principles of public health and I submit that not a day should be lost in placing this on the statute book."

* SRI T. T. KRISHNAMACHARIAR :—"As the earliest in the field to offer criticism on the Bill, I feel I owe it to the House to say a few words at this stage. The Hon. the Mover of the Bill has made an exhaustive survey of the changes brought about in the Bill by the Select Committee. In doing so, he has also anticipated possible criticisms and possible divergences of view in the matter of certain principles that run through the Bill. It will be a futile waste of time to reiterate the objections which he has anticipated, but they would not lose any of their value by mentioning them over again.

"The Hon. the Mover has sought to make out a case as to why the Minister for Public Health is to be the President of the Board and the Director of Public Health to be the Secretary of the Board; and connected with this is the question of vesting the Health Officers with statutory authority. Difference of opinion is bound to arise as to whether a scientist, as I suppose the Director of Public Health will be, ought to be entrusted with administrative functions. As the Hon. the Mover said, there is considerable volume of opinion on both sides. According to the English practice—and we have copied largely from the English practice in this Bill—the medical officer of health is a scientist and is as a scientist

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expected to watch the influences in his locality affecting public health and to report to the local authority the results of his observation and he is not invested with any executive authority. I find America has followed the principle that is now sought to be introduced in this Bill. There the health officer is member of the Health Council and is invested with the powers of the Grand Juror, the power of subpœnaing people not to speak of enforcing the health laws. There is much to be said for both sides of the question. But my own feeling is that in the state in which we are now placed it would be better to leave the Health Officer without the burden of any statutory duties that is sought to be imposed upon him now. But, Sir, that is not to be and the Government have decided otherwise and I cheerfully accept their decision.

"Sir, there has been some criticism about this Bill from this side of the House and having been, as I said, one of the earliest critics with regard to a certain phase of this legislation, I think I must join issue with the critics though it is ordinarily the duty of the Mover to answer them. It is with regard to enlarging the Public Health Board and the adoption of the principle of nomination in it. It is really surprising to find that my hon. Friend, representing the Madras Indian Christian constituency—unfortunately he is not here just now—appearing in the role of an ardent democrat advocating a democracy in *excelsis.* Democracy is very good and I am a very firm believer in democracy. But there is no point in allowing the ballot-box to interfere in a purely administrative matter to decide on what type of assistance the Board should give to the Government in a matter like the public health of the Province and it ought to be left to the Government, whichever Government may be in power, to choose the men from amongst the Members of the Legislature who would be best fitted to render useful service, as in my opinion the non-official element in the Board will have to fulfil the extremely important function of acting as assessors on matters brought before the Board by technical experts. I am sure that my hon. Friend, representing the Madras Indian Christian constituency who has had administrative experience would on calm reflection realize that the changes made by the Select Committee in this respect are sound.

"There seems to be an opinion generally that this is the last word in public health. I do not think that the Hon. the Mover has made any such claim and if he should make it, I would dispute it. A public health law cannot be made in a day; it is an evolutionary process. You have got to make a start somewhere and re-adjust it as days pass by to the changing needs of the times. I suppose my hon. Friend representing the Madras Indian Christian constituency remembers that in England the law was codified in 1925 and again in 1936. The Government are not stopped from bringing in another measure some time hence to

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amplify and enlarge the present measure. But as amended by the Select Committee, it has been deprived of many of its obnoxious features. It might be said that it could be made better but its merit as it is lies in the fact that it is a workable proposition. It may not have all the advantages that we have in mind; it may be that it is only 20 per cent of the provisions of the Bill that will be really operative.

"But there are other considerations which stand in the way and which a Public Health Act cannot cover. Public health depends on the economic state of the people. Poverty and public health go together. Our country is a poor country and the Government, I dare say, are perfectly willing to raise the standard of living and do what they can in that direction. But their resources are poor and inelastic; and things being what they are and finances being what they are, at present there is no use in expecting them to do very much more. You can only go forward step by step. I am sure if more funds are available—for instance if my hon. Friend representing the Madras Indian Christian constituency would agree to a special profession tax on all people earning more than fifty rupees—the Hon. Mover of the Bill would jump at the idea and set about drafting an Act for poor relief. I suppose there is a certain misconception in the mind of the hon. Member when he stated that the beggar problem and poor relief are alike. The Hon. the Mover stated that there are the rich beggars and poor ones but the relief that is asked for is just for the poor and not for the rich beggar. I recognize that it is not possible for the Government to undertake the task, but if people in municipalities and local bodies would say that they would consent to be taxed because they do not like to be rubbing shoulders with beggars in public roads and if they pay for it, I am sure the Government would be quite willing and eager to bring the necessary legislation. There is, therefore, no point in insisting on the inclusion of poor relief in this Bill. It is not the only thing that has been left out. There are several other problems. The housing problem has got to be tackled; there is the question of school hygiene, provision of play-grounds and many such subjects and these have been left out.

"I believe that the Mover is trying by means of this Act to spend rationally that amount which is just now being spent on public health and he expects the Bill to be a success in that direction. Amendments may be brought in; but I have a feeling that they can in the main be only amendments in respect of the language used as the hon. Member representing the European community pointed out. I do not think any substantial improvement can be made in the next stage. Differences in matters of detail are bouud to exist. But on the question of principle referred to by me early in my speech, the Government

hold different views and for my part, I feel there is no use pressing amendments affecting the vital principles of the Bill after knowing the mind of the Government.

" Barring these, I think that the measure is a fairly decent and comprehensive attempt to ensure a certain amount of public health for the people of this land. Before closing I ought to make mention of the status that is given to practitioners of Indian systems of medicine in the Bill. I am surprised that the Hon. Mover being the scientific man that he is, has thought fit to entertain such claims. Public health, as we understand it, namely, the prevention of epidemic and infectious diseases like cholera, typhoid, smallpox is entirely dependent on the acceptance of the allopathic system of medicine however empirical it might be. The Indian system to whatever school it may belong has got its place in curative medicine and so far as the preventive side is concerned, the practitioners of that system have no conception of the existence of micro-organisms, bacteriology, or bio-chemisty. I cannot therefore understand the object in asking them to help in the administration of this Act. I wish the House to consider this particular point. The indigenous systems may be very good in the curative processes but on the preventive side, they have no conception as to what is to be done.

" I have nothing more to say except to congratulate the Hon. Mover at this stage on the wonderful and exhaustive survey that he has made in presenting the pros and cons of his case."

6-30 p.m. * SRI P. S. SRINIVASA AYYAR:—" This Public Health Bill has been a long looked-for measure. It was thought of as early as 1929 but could not be placed on the statute book earlier for various reasons. I believe it is singularly the good fortune of the Congress Ministry and the Hon. Dr. Rajan to put this Bill on the statute book, and with the support of this House, this Bill will become an accomplished Act. Other countries have had their Public Health Acts in force for a fairly long time now and it cannot at all be said that this measure has been brought in too early or prematurely. Just like other Public Health Acts in other countries, this measure is intended to promote the physical and social well-being of the people of this Province and as such has in its purview the supply of pure water, good food and fresh air to the people of this Province. What more do the people need from the Government? No doubt when we go into the details of this Bill, each one may think that it is wanting in some particular detail which he desires to introduce into a Bill of this sort or that the sacredness of one's private property has been or is sought to be tampered with or the powers of one executive authority has been encroached upon or that a particular Health Officer may abuse his powers in a particular area and carry on his *zulum* there. But all that should be subordinated to the main principles of the Bill which have been

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carefully gone into and if liberally acted upon are bound to produce immense benefits to the people of this Province. Though this Bill has been made up mainly of public health measures culled from the various existing Acts, yet it contains many new provisions which have been long looked-for as being necessary for public health reform in this country. I know many a Health Officer has been handicapped in the conduct of public health administration in this Province by the want of necessary and suitable provisions in the statute and to them and to all people holding progressive views in public hygiene and sanitation, this would certainly become a happy and welcome measure and would put more spirit and enthusiasm into their work. I know that some members in this House may think that the health authorities will, after the passing of this Bill into an Act, wield a very large amount of power; but from my experience of public health administration in this Province, I can tell them that unless such powers are given, it is not possible to rouse the civic and sanitary consciousness of a people, who have been steeped in age-long ignorance, illiteracy and superstition. This Bill has been discussed thread-bare in the Select Committee and all provisions which favoured the possibility of transferring undue and excessive powers to the Health Officers have been either modified or entirely removed and all possible improvements in general have been effected. I do not mean to say that this Bill has been made absolutely perfect. No doubt there may be a few shortcomings here and there and even after all this, I daresay they can and will be remedied from time to time as we gain experience in the actual working of this Act. I have great pleasure in supporting this Bill, which has been brought forward by the Hon. the Minister for Public Health and I congratulate him on being the first Public Health Minister to introduce a health measure of this sort in this land of ours."

*K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—"Mr. Speaker, I rise to make a few remarks on the Report of the Select Committee that has been placed before us. Sir, I am one with Mr. Appadurai Pillai, when he offered his criticism in respect of the Public Health Board. I personally feel that the Select Committee has gone a step backward with respect to this matter. I believe the system of nomination is not desirable for this Board. I am afraid I have not been able to follow the arguments presented by my friend, Mr. T. T. Krishnamachari, in favour of nomination. The Board has got to advise. That is the only capacity in which the Board will have to function. What is the good of having on the Board Ministers and officers serving under and nominated by them. The Minister can certainly consult and get the opinions of his officers even if they are not members on the Board. I can even suggest that there is no need for the Ministers being there on the Board. There is no

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need absolutely for a nominated officer of administrative experience either. Let the Board be non-official in character as far as possible. To my mind it appears that we are giving too much of importance to administrative officers. On the other hand it would have been more reasonable if the Minister had seen his way to give representation to local boards, municipalities and such other organizations that wanted representation on the Board. But they have not been given. On the other hand the Board will have a number of nominated officials. Sir, there is one important suggestion that I have to make. We are going to have a Central Board, for the whole Province of Madras. Why not have the health committee in various local bodies and municipalities? I believe they will serve some useful purpose. The health committees will look after the interests of these citizens who are likely to be very much affected by the dictatorial powers of the Health Officers. So I think the health committees will serve a very useful purpose in the scheme for safeguarding public health. Sir, especially when the local boards and municipalities are not going to have any representation on the Central Health Board, I feel that the creation of health committees in municipalities and district boards will be very useful. With regard to the powers also I have just got a word to say. The Board is only of an advisory character. It has got to give its advice to the Government whenever asked. I do not know, Sir, what the matters are that will be referred to the Board for advice. It is just possible that the Government may not refer to the Board as often as we presume they may do, or even if they refer a matter to the Board it may be one of unnecessary detail. I therefore suggest that the powers of the Board should be very well-defined.

" Sir, with regard to the division of functions, I find that there are a number of authorities that have been created. For instance, there is the Government which has got the final voice; and then next to it, there is the Director of Public Health who acts as a delegated authority as well as in his own official and individual capacity. Then there is the Collector of the district; then we have got the Health Officers and the sanitary inspectors. In some matters, we find the Health Officer has got his own voice. For instance, so far as appointments, punishments and the discipline of the health establishments are concerned, he is all in all; he is not controlled by anybody else. I believe, Sir, that important functions like appointment, dismissal and punishment should not be left to him, when the executive officer is there—the municipal commissioner or the president of the local board to look after the staff and establishment serving under them. I do not see why such powers are given to the Health Officers. It is very likely that these powers may ultimately be misused and we have got to safeguard against their abuse.

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" So far as the venereal diseases are concerned, I wish the provisions that were originally made stayed there and no change had been made. We must try to mould public opinion according to our views. It is very likely that public opinion may not be in favour of the reform. But that is not reason enough to keep quiet without taking note of the havoc done. Sir, no useful purpose will be served by saying that we have got to wait for progress in public opinion. That will perhaps take centuries. Are we to bide time till public opinion becomes advanced or are we to start at all costs and see that the evil is stopped at the present stage? That is the thing we have got to decide.

" Sir, there is one other matter and that is in respect of finance. I am afraid I will not be able to join those who raise the alarm and say that the local authorities will not be in a position to carry out the reforms. I personally feel that it is no use to raise an alarm like that, at present. We have got to work the reforms first; if ultimately we find that they cannot work, then perhaps we may amend the Act and change it so as to bring it into line with the financial conditions of the various local boards. There is one thing more in regard to the present conditions that exist in our country. People are poor and illiterate and for the first few years at least, care should be taken to see that the Public Health Act does not become another Indian Penal Code for them. I hope there should be some liberality in construing the sections for the first few months.

" Sir, before I conclude, I must join the previous speakers in the congratulations that have been given to the Hon. Minister for Public Health. We are really grateful for the legislation that he has brought forward and for the pains he has been taking in the matter."

SRI V. VENKATASUBBAYYA :—" When I came to the Assembly this evening, I had no intention of speaking, but on the suggestion of my friends and after further thought, I felt that I should be failing in my duty if I did not give expression to my opinion on a subject concerning health which has been engaging my attention for some time and a subject on which I have been responsible to some extent in making a portion of the public get agitated.

" That is the question of compulsory vaccination. I had expected that provision would be made in this Bill to make vaccination optional and I still hope that before the Bill comes out of the Assembly in the form of an Act some provision will be made to make vaccination optional, if not completely, at least by providing a conscience clause such as exists in England. But why do we oppose vaccination and compulsory vaccination particularly? It is for this reason; vaccination kills innocent babes even more largely than smallpox as will be clear from the following figures.

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In England there are statistics to show the deaths resulting from vaccination, but in India we have not got statistics to prove whether any people died at all of vaccination. The statistics here in India do not give any column under that head but in England we have got statistics and so far as statistics can prove anything, they prove that vaccination kills people even more largely sometimes than smallpox.

6-45 p.m. "In England and Wales, between the years 1905–23, of 1,319 cases of deaths from vaccination, 162 died of vaccination with glycerinated calf-lymph. I make a special mention of this because, pro-vaccinators used to explain away injuries and deaths as due to vaccination from arm to arm but not due to the new lymph. Again in the same place, that is, England and Wales, between the years 1905–37, 118 children under five years died of smallpox while 291 died during the same period on account of vaccination. In other words, death due to vaccination is almost twice as much as the death from smallpox. In addition to that, for every one dying of vaccination, there are hundreds left maimed and stricken with diseases, such as cancer, consumption, syphilis, tonsilitis and eczema. This was the reply given by the Health Minister of Great Britain to a question put by a Member of Parliament on 13th July 1938.

"You may remember what happened in England before 1898, when vaccination was made compulsory. Even during the short period in which it was in force, people saw that consequent upon vaccination, deaths increased and diseases spread everywhere. So there was a loud complaint that vaccination instead of bringing health and comfort to the people had brought diseases. A Royal Commission was appointed consisting of fifteen of the most eminent medical men in the United Kingdom. They sat for eleven years, and after a detailed examination of the subject and having asked and obtained answers to about 50 questions, they at last came to the conclusion that the case for vaccination was not proved—an euphemistic way of condemning the system.

"But what was the result of such an enquiry? In 1898, an exemption clause was introduced in the Act whereby anyone who made a statement before the magistrate that he conscientiously believed that vaccination would be prejudicial to the health of his child was exempted from the operation of the compulsory provisions. But in spite of this provision in the law, things did not improve very much, for the magistrates refused exemptions in numerous cases, sincerely believing that they were acting in the best interests of the applicants before them. They sincerely believed that the applicants before them were rustic folk, ignorant men, who had no sanitary conscience and who did not understand the benefits of vaccination and who out of mere foolishness asked for exemptions. So the magistrates, sincerely feeling that they were the conscience-keepers of the nation, on some pretext or other,

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rejected the petitions. The matter was therefore once again brought up before Parliament and after a full discussion, it was decided that henceforward the magistrates should have no discretion in the matter but should grant exemptions as a matter of course. Since then by rapid strides, smallpox declined in the country so much so that for years together there was not a single case of smallpox, whereas during the same period there were, however, registered some deaths from vaccination. Before the Royal Commission referred to above, 626 deaths were reported as due to vaccination but after a great deal of examination, cross-examination and re-examination, it was admitted that 495 out of these 626 deaths were due to vaccination.

" I have quoted the opinion and the figures to show that as vaccination increases death and diseases also increase. This was the opinion of eminent allopathic doctors holding highest positions in the country. That is the reason why we are against vaccination in this country.

" Further, I wish to quote figures to show that as vaccination is enforced more vigorously, there is more and more death from smallpox. A comparative study of the figures here and in England, as given below will go to prove my contention. In England, between the years 1888–1897 there were ten deaths per million and it was during the period when vaccination was compulsory. As against that between the years 1918–1922 the number of deaths was 1·4 per million, and that is the period when the exemption clause was introduced and people largely availed themselves of it. In Madras, between the years 1888–1897 there were 100 deaths in one million population, whereas during the years 1918–1922 when vaccination was rigorously enforced it rose to 800 per million, that is to say, it was eight times as high as it was when vaccination was not so strictly enforced.

" There is one feature that should be taken into account in this respect. Vaccination is not only a failure, but it is a fact that there is more death among the vaccinated than among the unvaccinated. I have got figures to show this also. In England and Wales between the years 1912–1925, there were 3,140 cases of smallpox attacks among vaccinated people and 10,799 cases of attacks among unvaccinated people. Of these, 77 resulted in deaths in the former case, while only 76 died in the latter case; this, more or less works out to 2·4 per cent in the former case and 0·7 per cent in the latter case. In Germany also the same thing is noticeable. There, in 1871 there was an epidemic of smallpox and one million people were attacked; of these, the number unvaccinated was only 1,260; in other words they constituted only 4 per cent of the total number of people attacked.

" Perhaps it might be said that figures do not all speak the correctness of the situation, and especially when they are taken

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for short periods of time. But now I will quote figures for longer periods which prove the case beyond all dispute. During the years 1872–1881 when the percentage of births vaccinated was 85·5, the average number of deaths each year due to smallpox amounted to 3,708. Similarly, during the years 1882–1891 while the the percentage of births vaccinated was 82·1, the average number of deaths was 923; again during 1892–1901, while the percentage of births vaccinated was 67·9, the average number of deaths was 436; during 1902–1911, while the percentage of births vaccinated was 67·6, the average number of deaths was 395; and during the years 1912–1921, while the percentage of births vaccinated was 43·4, the average number of deaths due to smallpox was 12. These figures conclusively prove beyond all doubt that as vaccination is more and more rigorously enforced, disease and deaths are also on the increase, and it further shows that vaccination is not merely a failure but is a positive danger to public health as it destroys innocent lives and produces endless diseases. But I grant there may be another side to this picture, and there may be someone who might quote a case in which three members of a family not vaccinated were attacked with smallpox and even suffered seriously while another three in the same family who had been vaccinated went immune. Such stray cases prove nothing. But granting that you are able to multiply such instances, what is the best course to be followed, in the face of opinions from eminent medical men holding highest academical qualifications, who condemn vaccination? Here is a case where one cannot definitely say that only he is right and the other is wrong. The opinion against it is from persons who are as eminent as those who advocate it. Therefore, under the circumstances, what should be the attitude of the Government enforcing such a law? We ask for a conscience clause to be introduced in the law. Give up compulsion; leave every man to himself, giving everyone liberty of action. Let those who believe in it have it, but don't compel all others who conscientiously believe that it is injurious to themselves and to their children. Don't force the poison down the throats of unbelievers or through their blood. That is all what I ask. Introduce a conscience clause in the Health Bill making vaccination optional, even as they have a conscience clause in England. It may be said in this connexion that conditions in England and India differ, the sanitary consciousness of the people of India is not developed to such an extent as is to be found among the people of England, and therefore if you do not enforce compulsory vaccination, people will be exposed to danger. I beg to differ from that opinion, but shall not dilate upon it any further. I will only make my humble appeal to the Hon. the Minister for Public Health to see that such of those who have conscientious objection to vaccination, such of those who have suffered from its evil effect in that vaccination has ended in the death of their child previously, should be allowed the

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option to be exempted from compulsory vaccination. I hope that before this Bill leaves this House and becomes law, some such conscience clause will be introduced in it.

"The other subject that I want to refer to at the present time is about Naturopathy. Naturopathy, I am sorry to say, has been *greatly misinterpreted*; but I am not going to enter into any detailed discussion on it, and shall content myself by giving a few of my experiences.

"A case of cholera I myself had the honour to cure without having recourse to any allopathic doctor or any of the medicines. It was a village where I went to attend a marriage. In a cattle-shed which was improvised for the occasion as a guest house, was one of the marriage party who was violently purging and vomiting. But none revealed it lest, it should disturb the conduct of the marriage ceremony. At about 3 p.m. I came to know of that. There was no allopathic doctor near at hand, and to get one, one had to go a distance of four miles. Considering the cost that might be involved in fetching a doctor and the time that would elapse before he comes, the question was entirely dropped out. Then I undertook the case and cured it, and that too with the aid of water and steam! That man was left over as hopeless; but I cured him. Then I cured another case of scorpion 7 p.m. bite. The person stung by the scorpion showed very serious symptoms of collapse; he was a poor man; he had no money; he could not purchase any medicine. If he were a rich man, in that case, he would have gone about in search of a doctor and medicine in a motor car; but in this case, he was left to his fate and people began to give up all hopes. But before it was too late I only administered water, and in a short time he became all right. In a third case, a woman was suffering from acute stomach pain; it appeared she had that pain for a long time past; all allopathic medicines had no effect. I happened to go to that village; she was a poor woman; I administered water to her and in a short while the pain in the stomach disappeared, say in about half an hour. And what did I use? Only water." (Laughter.)

MR. SPEAKER:—"Probably the water was administered with *mantram*." (Laughter.)

SRI V. VENKATASUBBAYYA:—"I do not claim any knowledge of *mantram*. This only shows that miracles are not found only in ancient times; they are possible even to-day. And all this I claim for Naturopathy. *I do not want to multiply* cases; because this is not the time to do this. I only want to show that there are other systems of medicine which can be used for health purposes, and Naturopathy is one such. In fact, this system is intended for the poorest of the poor; it is intended for those who cannot afford to pay for medicine and

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the doctor; it is intended for those who cannot afford even a single pie. So when it is not every person who can afford to pay for the services of a physician, I ask, why not, under such circumstances, try to alleviate human suffering by means of Naturopathy? Therefore I appeal to the Hon. Minister to co-operate with all systems of medicine in relieving human suffering. I do not want to say more about this now. Several hon. Members have given their valuable opinion admirably well. So far as the present health measure goes, it goes very far, and it certainly will be productive of the greatest good to the people and also of a better standard of health and comfort to the whole population in the Province."

DR. M. J. SAMUEL:—"Sir, when I rise at this stage, perhaps people may mistake me, as though I rise to support the previous speaker. But I am sorry the previous speaker has laid before the House a point, on which there is so much dispute in this country as well as in Europe, that it is difficult for any one to say whether it can be followed with certainty. From my own experience I can say that we have carried out vaccination in this country with great success. One of the preventive measures in this country which the Government have undertaken against infectious diseases is vaccination. But for vaccination, I think, very many of our rural population would have lost their eye-sight because of smallpox, chickenpox and other similar virulent diseases. Therefore, I have to oppose the suggestion made by the previous speaker that we need not have compulsory vaccination in the Province.

"Sir, coming to the Public Health Bill, which the Hon. Minister for Public Health has so ably initiated in this House, I wish to say this: I very intently followed the whole speech of his, and I have nothing but praise for the measure. Sir, we are particularly fortunate that we, in this Province, should have as *the Health Minister, one, who had for many years served in the* field of medicine; and the present measure is nothing but the fruits of his labours. In his opening speech he said that in Western countries, public health measures have been worked with great success. We know, that other countries, more especially the Western countries, are more advanced than India in point of education, civilization and all other matters including health. Our country is poor and very backward, and I therefore join with the Hon. Health Minister in the appeal that if we want to work this Bill, we require the co-operation of all people, social workers, workers in the field of medicine irrespective of the system practised by them, to educate the masses for the eradication of several diseases in India.

"Sir, coming to another point, namely, the point which the Hon. Minister made with regard to the notification of the diseases called infectious diseases, he has left out the notification of

malaria. No doubt people may think that it is not very infectious, as we find in our everyday life people suffering from it and getting on with their daily duties. Perhaps, on this account, people may think that it is not a dangerous disease. My short experience as a medical officer has shown me that the disease has got down into the very vitals of our nation, especially in certain localities where malaria is endemic by producing other allied or concurrent diseases and eternally spoiling the health ot the people. If only you will look into the statistics of the Public Health department you will see that many people are carried away by malaria. I therefore think that in my humble opinion, malaria which is now neglected should be tackled by legislation.

" Coming now to the question of notified and unnotified diseases, the Select Committee has very wisely classified the diseases under that head. Because the average layman does not know what the symptoms are of most of those diseases; and it would be foolish to penalize him for his ignorance. In fact, it is only the medical practitioners who may know the symptoms of such diseases. Under such circumstances to hold the ordinary layman responsible would be unreasonable. Therefore I wish to bring forward an amendment in the course of the consideration of the Bill to the effect that the ordinary layman, the head of the family, whoever he may be, who does not know even the A B C of medicine, should not be made responsible for failure to bring to the notice of officers the cases of certain notifiable diseases in his family.

" As regards venereal diseases, I have to thank the Select Committee for removing certain clauses, which are highly difficult for the people to follow. In fact it will be very difficult to apply them to our masses. So to the medical man should be left the responsibility to stamp out such diseases by ameliorative measures, preventive measures and by propaganda.

" As regards the other points, the Hon. Minister has very convincingly stated that the present Government expect the co-operation of all parties, all men and all medical men in working this measure. I echo his sentiments. With these few words I support the measure."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—" Sir, while I sat listening to the illuminating speech of the Hon. Minister explaining the different provisions of the Bill, I was led to believe that several of the provisions are only pious hopes, and that in actual working they will prove a dead letter. But, however, let us not judge the pudding before eating it. The Bill is a very complicated one. Its scope is such that it would have been better if a longer time had been given to us to study the Bill and suggest constructive criticism. Anyhow we are thankful to the Government for having given some time

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to study the Bill. One finds similar provisions relating to public health in the City Municipal Act, the District Municipalities Act and the Local Boards Act. I fear in the working of these Acts there might be some confusion. So the better course would be to have a comprehensive and compact measure scientifically arranged and remove those provisions from the existing Acts. As this is a non-party measure relating to a non-political subject like public health, I think any criticism offered will be received in the spirit in which it is offered. From what I know of the working of the Health department I have formed a very poor opinion about it. From what I see, it is only the vaccination section of the Health department that has been doing satisfactory work. The vaccinators have got to show a certain number as having been vaccinated within a given period. They cannot escape that. But as regards the health inspectors, the less said the better. In regard to the Madras City, the Hon. Minister claimed the other day that when meningitis broke out here, it was stamped out in no time and very successfully. It is true that it is so in Madras where you have got a capable health staff. In the mufassal, however, matters are different. When an epidemic breaks out in a particular place, the health inspector gets information only after a good deal of havoc has been caused and by the time he visits the affected area the epidemic itself would have subsided. Of course, after he reaches the place he distributes some potassium permanganate and other disinfectants returns to his headquarters and makes a report saying that he has very successfully dealt with the situation. This is the actual situation in the mufassal. The Hon. Minister, however, seems to have a very good opinion of the work of his subordinates in the mufassal. Sir, when Lieutenant-Colonel Russel was the Director of Public Health here, he once described to me in very glowing terms the work being done in the mufassal. He said that it compared very favourably with what was being done in Mysore where they had constructed model villages in the expectation that the surrounding areas would copy their model. He happened to come to my place once and I took him to some of our villages. The health inspector of the place was also present and when he was asked about the drinking-water source of the village and about the fairs annually held in the place, he was not able to give the information. That is what our mufassal health inspectors are. And yet the Hon. Minister is very hopeful of his Bill yielding good results. I wish him long life as Health Minister in order to be able to see how the Act works in practice and satisfy himself and, if possible, suggest remedies."

7-15 p.m.

MR. SPEAKER:—"That may come in after the Bill is passed (Laughter) and not at this stage."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"However, Sir, what is required is proper control of the health inspectors and other members of the health staff. I emphasize

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this point because from what I know *they are doing precious little.* Now that large powers are being given to them, there is the possibility of their utilizing their spare time for doing mischief. What they do is this: they go to vegetable stalls and if they are not given good vegetables, they report against the vendors. Hence the power that is going to be vested in the health staff is going to be a source of nuisance to the public and not help. I feel that these health inspectors are being given much larger powers than is necessary.

" I also feel, like my hon. Friend, Diwan Bahadur Appadurai Pillai, that the Director of Public Health ought not to be on the Public Health Board. With these few words I resume my seat."

MR. SPEAKER :—" Does any other hon. Member on the left wish to speak? As I see none rising, I ask the Hon. the Minister for Public Health to reply."

THE HON. DR. T. S. S. RAJAN :—" Mr. Speaker, I must first of all thank hon. Members for giving such a nice reception to the Bill that has been placed before them. As I had anticipated, those hon. Members who took part in the debate suggested the defects that appeared to them to need rectification; particularly I noted the fact that Mr. Walker suggested a definition of the words ' sanitary convenience.' But as the word ' latrine ' has a certain bad odour about it, it was thought better and appropriate to put in its place a fine expression like ' sanitary convenience.' But, in spite of its apparent stink, ' latrine ' conveys a meaning which perhaps ' sanitary convenience ' may not. Moreover, latrines have come into the discussion and I would not do anything to re-dress it in any other convenient language. But the difficulty is that the words ' sanitary convenience ' are used in all places where ' latrine ' is intended, and probably, ' latrine ' as such will disappear altogether. Therefore we have used the words ' sanitary convenience ' in one or two places and maintained the word ' latrines ' in many other sections. But if a definition of the words ' sanitary convenience ' will get rid of the difficulty, I will certainly do so.

" With regard to the powers of the Health Officer I have made out a case on behalf of the Government. The rules that are to be formulated in the wake of this Act will contain ample precautions not only against the abuse of his powers by the Health Officer, but against abuse by all people coming under the Act. The Bill only lays down certain principles. The rules that are to be framed by the department will give the necessary directions to the health staff in consonance with the principles contained in the clauses of the Bill. Therefore there need be no apprehension on this score.

" With regard to the remarks made by Diwan Bahadur Appadurai Pillai, it was in a way surprising that one who has had

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administrative experience should have now thought about the unworkability or unpopularity of a Board on public health matters the members of which are nominated by the Government. I have on another occasion made this point pretty clear. I may mention again that in the Bill as introduced, the proposal was to have all members elected and that it was the Select Committee that dropped that idea and put in nomination. The hon. Member has been an officer of standing and reputation and administrative experience and I did not expect him to say that the principles of democracy will suffer if there is nomination to a board which is concerned with matters of public health. I doubt very much whether democracy is going to be advanced a good deal by having two or three elected members on a committee which has really to discharge very onerous duties under this Act.

"The hon. Member remarked that this measure is a patch-work. Yes. We are going to have a Health Act which will contain the provisions now distributed among 20 or 22 Acts. We are getting the health provisions in all these Acts together in one single measure. Consolidation of a patch-work is what is being attempted in this Bill. Therefore it is not fair to level the charge that this is patch-work. It is, as I said, an attempt to consolidate the patch-work that has gone on for so many years in various Acts. There are health provisions in the Criminal Procedure Code, in the Local Boards Act, in the Food Adulteration Act, in the Town-Planning Act and many other similar Acts. As far as public health matters are concerned, we have brought all of them together besides incorporating the provisions in similar enactments of other Provinces and other countries. We have drafted new chapters suited to the peculiar conditions of this Province which the experience of the health officers of the department suggested. We have put them here in the light of experience. Therefore the charge of doing patch-work is not a thing that can be sustained with reference to this Act.

"There was then some criticism about the arrangement of chapters in the Bill. I do not know whether the arrangement should be picturesque. If it is thought that a better or a more scientific re-arrangement on the lines suggested is necessary, I do not think I will refuse to accept any such re-arrangement.

"With regard to the question of the Director of Public Health being the highest appellate authority, I have explained the position already.

"My hon. Friend, Diwan Bahadur Appadurai Pillai, was not quite fair to me when he criticized what I said in regard to the beggar problem. I never said that we ought not to prevent beggars suffering from infectious diseases going about in the City. This nuisance is the misfortune of any big city. If any place

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attracts huge crowds, the beggars also will gather there. But the difficulty is this: it is really the local bodies and the citizens of large cities that have got the normal obligation to keep their cities clean. *And every citizen* who claims to be a citizen of any city is responsible for the attraction and crowding of beggars in the city. 7-30 p.m. You cannot ask us by one stroke of the pen to make provision for all the beggars in the City. It is really impossible. This Province on a moderate estimate has about ten lakhs of beggars and I challenge any administrator to make provision for these ten lakhs of beggars. It is not so much to escape from our responsibility to protect these beggars as the infectious nature of the diseases with which we are faced that I said so. It was as a rational exposition of the case and not as an escape from our responsibility to protect these beggars that I said so. If Mr. Appadurai Pillai would sit with me and devise a plan for providing for the beggars not only in the City of Madras but all over the Province, I would certainly go the full length with him and see whether we could have the resources and strength that are necessary to put into effect all that he has said. It is not merely a question of disease or health. It is especially an economic question and it is a much bigger question than what this little Bill expects to achieve. To take all the ills of mankind and to lay a charge on the Government that they have not made any provision for all these, is very unfair. It is certainly impossible to make a provision for all the diseases in the world in such a small measure as this. Nor is the present Health Bill the final word on the subject. No Health Bill would be a final Bill for the matter of that, because we will have to depend upon so many considerations and in view of the changing conditions, some provisions in the Bill may have to be dropped. It is just also likely that we may equally have to incorporate many other provisions that we do not find there now. Therefore I, for one, do not claim that this piece of legislation is the last word or the final word on the subject. On the other hand it is a first measure of its kind and we are trying to get certain powers to tackle this problem of public health. Therefore, it does not by any stretch of imagination follow that we may not have further additions to this law or alterations to this law, if such things are found necessary. There is no justification for thinking that it is the final word on the subject or that the rules or the provisions contained in this Bill are unalterable. Such a contention does not hold water.

" Lastly the most curious thing that was said was about the poisonous snakes. I never thought they could be wiped out by a Public Health Bill altogether and I do not think the Health Bill is responsible for their continuance or otherwise. They seem to have come in our country long time ago and they are there. I cannot understand how we could make a preventive enactment for snakes. Nor can I suggest to the Health Officers and health staff to go and shoot all the available snakes in our Province; nor is it possible for

them to find some other means to destroy all the snakés in the Province. It is really impossible for us to do such a thing, but I may tell this for the information of hon. Members: of all the snakes that are found in South India, only 4 per cent are poisonous and 96 per cent are innocent—more innocent than human beings. (*Laughter.*) It is not possible to kill all of them. It is very difficult. It is also very difficult to say how much of that 4 per cent is the most poisonous. The most poisonous snakes are well known to our people. They inhabit some of our gardens, houses and other places. But one thing that I may mention is that these snakes never go and bite a man. They are innocent. Left to themselves, they do no harm. But if you go and tread on their backs, then they bite you. Therefore the only way to protect ourselves is not to tread on the neck of snakes, and not try to pass any legislation. If a legislation should be put on the statute book for the prevention and cure of these snake bites it could only be done by adopting the method of administering anti-venom serum. Now good snakes and poisonous snakes are all being killed and they are made to give us the anti-venom serum that is required and such a serum is being administered in the case of snake bites. How far that is going to be successful as a practical measure is doubtful. The vaccine prepared out of one species may not respond to another species. It is also very difficult to find out which vaccine is suited to particular snakes. If a particular bite is a bite caused by a poisonous snake, then the vaccine taken out of that poisonous snake has to be used. It is all a very difficult process and it is not practicable to apply it. So it is impossible to make a general preventive enactment against snake bite as such. I do admit that a general provision for preparing serum is quite necessary. But to-day scientific knowledge regarding snake venom is still in an experimental stage and certainly we cannot legislate upon a thing which is in an experimental stage and therefore I cannot accept the suggestion of my hon. Friend in regard to this matter.

"I have absolutely no other criticisms to offer and in my opinion almost all the other speakers have agreed on this question except my hon. Friend, Mr. Venkatasubbayya, who naturally is supposed to be an ardent advocate of Naturopathy, and I can imagine very well the ardent enthusiasm that he exhibits for the cause of Naturopathy. He has come fully armed with all the figures in connexion with this matter and he is prepared to challenge me on this matter and I doubt he may defeat me, if it comes to that.

"My own impression is this: That it is only for such people that this Health Bill is necessary, if not for any body else; because they are, in my opinion, a source of public danger and these theories, half-baked theories, would serve no purpose. By quoting statistics you can make any case a bad case. Therefore

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statistics by themselves do not take anyone very far. But I can give him this news, viz., that we have combated epidemic diseases to a very large extent, during the last so many years. He has been waxing eloquent on the evils of vaccination. For the last 75 years we have been progressively coming out of the dangerous attack of smallpox till it has come to the lowest figure to-day. This has been possible and I do claim it has been made possible because of the protective measures we adopted. People were being killed in this country on account of this epidemic and if to-day smallpox has been mitigated to a large extent, I dare say that this is due to vaccination. But the general increase in the level of sanitary knowledge and sanitary improvements over and above the preventive inoculation cannot be treated so lightly. I am prepared to allow some margin for the theory that we should not be very much affected by these infectious diseases. It is easy to point out figures from England and other European countries to support your theory. But I would point out that in those countries they have combated almost all the epidemic diseases and remember they have no such diseases to-day. They have got such a beautiful system of health work and their sanitary law works so efficiently. Their shores are protected, their steamers cannot bring in any infectious diseases and everybody knows the value of hygienic laws. In a country like India, it is certainly not possible or wise to go and adopt certain measures because they are theoretically sound. However successfully such theories may work in other countries, in our country it is not possible, when once it is admitted that this country is backward in ideas of cleanliness and hygienic matters. If you go and ask them for money for spending on public health purposes, they may say that we might close our department as the money is required for some other purposes. But if once I give full freedom of conscience against the health laws regarding diseases then people will ignorantly take advantage of such things and become a source of infection.

"With regard to the question of malaria, I am sorry I cannot accept the position of Dr. Samuel. In this country it affects on an average one hundred millions of our population annually. The death-rate of malaria in this country is one million every year. It is not as if it is a somewhat sudden epidemic that spurts out one day or other. It is practically everywhere all over the country and it is good to know how to take effective measures and even to control it. But the problem is so vast that if we take such enormous powers, we are afraid it will act harshly upon the people. So I thought it wise considering the nature of the disease and the immensity of the task and the large number of people affected and also the comparatively small death-rate, to leave it to public opinion to develop. If every medical practitioner would make it a point to give a list of malarial patients whom he treats, we would be in the happy position to provide further treatment to all of them. Therefore if practitioners would come to me and help me, even without

this particular legislation, I assure them that the Government would give them all the help they could and thus save our people from this disease which takes away so many of our people. I have nothing more to add except to thank my hon. Friends for the very kind reception they gave to this Bill."

MR. SPEAKER:—"The question is that the Madras Public Health Bill (L.A. Bill No. 17 of 1938), as amended by the Select Committee, be taken into consideration."

The motion was put and carried.

MR. SPEAKER:—"I have to inform the House that after this motion, the short notice question given notice of by Mr. Bhaktavatsalu Nayudu will be answered by the Hon. Minister for Courts and Prisons. But before we take it up, I should like to put it to the House that the House will be adjourned to the 17th January 1939 for considering the amendments to the Public Health Bill and I would invite hon. Members to rule 19 to the effect that notices of proposed amendments should be given . . ."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"I understood from you the other day that some consultation would be held before you fix the date of adjournment and nothing has happened. Of course, we have to obey your orders, but we would very much appreciate the reason as to why the 17th January was fixed and whether the Bill will be finished within three days. I have got my own doubts."

MR. SPEAKER:—"If the Public Health Bill cannot be finished within three days, it can be taken up after the discussion of the Report of the Estates Land Act Committee. Sufficient time will be given for the discussion of amendments. Probably three days will be sufficient, I think."

5 KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—
L. "I only wish to bring to your notice, Sir, that what was said on a previous occasion is not being adhered to."

MR. SPEAKER:—"It is sufficiently adhered to."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"My complaint is that the convenience of all parties should be consulted; no such thing has been done now."

MR. SPEAKER:—"The Leader of the Opposition has been informed by the Chair itself that the 17th or 18th January would be fixed and it has now been openly announced that the 17th would be fixed. I have chosen the 17th instead of the 18th, as it is likely to be more convenient to hon. Members."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"Might I submit, Sir, that afterwards the Hon. the Leader of the House got up and said that it would be fixed up on Monday?"

MR. SPEAKER:—"I have consulted the Hon. the Prime Minister also, and I have fixed the date finally in consultation with the Premier. All these details need not be gone into now."

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KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"I can only submit that we on this side have not been consulted at all."

MR. SPEAKER:—"What does the Leader of the Opposition say?"

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"Nothing, Sir; I obey your order."

MR. SPEAKER:—"Does he think that between the 17th and 18th January, there is considerable difference?"

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"I am sorry, Sir, I should not be misunderstood as non-co-operating in this matter; but I do want to say that our convenience has not been consulted at all."

MR. SPEAKER:—"I want to understand you and consult you."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"Thank you very much, Sir. What I want to say is this: that I understood when we discussed the other day, that a suitable day would be fixed in January."

MR. SPEAKER:—"What is the suitable date?"

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"If now it is going to be discussed, if now there is going to be a consultation, if you are consulting us now, Sir, and if you ask me, I shall submit my suggestions. I want to know, Sir, whether you ask me to submit my suggestions."

MR. SPEAKER:—"Oh, yes; certainly."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"Thank you, Sir. My suggestion is this: I understand that one of the primary objects of taking up the Public Health Bill a day or two previous to the 20th of January—which was the appointed day for our meeting—was that it was hoped that the Bill would be fixed for consideration before the discussion on the Estates Land Act Committee Report took place. But, I submit that considering the volume and the nature of the Bill, it is not likely to be finished in three days; I may submit it will take at least five or six days. That being the case, it would be well, in my humble opinion, if the Estates Land Act Committee Report discussion is taken up on the 20th January and finished first and afterwards this Bill is taken up for consideration. That is my suggestion, Sir, which I submit for your consideration."

MR. SPEAKER:—"This suggestion was already made, and I have carefully considered the suggestion. The Estates Land Act Committee Report is a very heavy report; it will take a

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long time for discussion, and if this Bill is to be taken up for discussion after that, there may be no likelihood of this Public Health Bill being finished in January. It is very desirable that we should see that the Bill is passed into law at least in January. There is no use postponing it to August or September, because the Budget Session is to be in March. I have carefully considered all these matters and it will be very convenient to all the Members of the Assembly to assemble here on the 17th January after an interval of over a month from now. Very likely, from the manner in which work proceeds with sufficient speed in this House, I am sure hon. Members will see that amendments can be disposed of in three days. After all, we are sitting continuously from 3 to 8 p.m. every day, and if necessary, we will sit a little while longer. (Laughter.) So, I am sure that the fears of the Leader of the Opposition that the Public Health Bill cannot be finished in three days may not be very well-founded, as we will be able to prove it on the 17th January when we meet. I do not think much more time than three days will be required.

"As regards the method of expediting business, under rule 90:

'Notice of a proposed amendment shall be sent to the Secretary at least three clear days before the sitting of the Assembly at which the Bill is to be considered.'

This rule, however, has been more honoured in the breach than in its observance."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"It applies to the Government also."

MR. SPEAKER:—"It applies to all sides of the House, of course. I have relaxed this rule for all sides up till now and amendments were being received by the Chair even when the discussion was actually going on. But, I do not want to relax this rule at all in the case of this Bill on the 17th January. The 13th and 14th of January happen to be public holidays and the 15th also is a holiday, being Sunday. The 16th of January is a working day. So, I fix 3 p.m. on the 12th January as the last hour for the Office receiving amendments. There is thus full time afforded to hon. Members to send up their amendments before the 12th January."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"There are four days intervening between the 12th and the 17th instead of three."

MR. SPEAKER:—"There should be 'three clear days'—that is the rule. On a restricted interpretation of the rule it means that the 12th January is the last day for the receipt of amendments. So, amendments shall be given by the 12th January, 3 p.m. That will be very convenient to all, I think."

III—SHORT NOTICE QUESTION—*cont.*

MR. SPEAKER :—" Question No. 581, Sri B. Bhaktavatsalu Nayudu."

SRI B. BHAKTAVATSALU NAYUDU :—" I put the question."

THE HON. SRI S. RAMANATHAN :—" (*a*) & (*b*) . . ."

HON. MEMBERS :—" We do not know the question; the question may be read."

THE HON. SRI S. RAMANATHAN :—" With your permission, Sir, I shall read the question also."

MR. SPEAKER :—" The question may be read by Mr. Bhaktavatsalu Nayudu."

* 581 *Q.*—SRI B. BHAKTAVATSALU NAYUDU : Will the Hon. the Minister for Courts and Prisons be pleased to state—

(*a*) whether it is a fact that Mr. E. V. Ramaswami Nayakar Periyar has been convicted by the Presidency Magistrate, Georgetown, Madras;

(*b*) if so, for what offences;

(*c*) what the sentence inflicted on him is; and

(*d*) in what class he has been placed?

THE HON. SRI S. RAMANATHAN (on behalf of the Hon. Sri K. Raman Menon) :—" (*a*) & (*b*) The answer is in the affirmative. He has been convicted for abetment of systematic and persistent annoyance and disturbance at the Theological High School, Madras.

" (*c*) & (*d*) *The Magistrate has sentenced him to one year's* rigorous imprisonment and a fine of Rs. 1,000 in default six months' rigorous imprisonment on each of two counts, the sentences to run concurrently. The Government have since commuted the sentences from rigorous to simple imprisonment and he will be placed in ' A ' class."

RAO BAHADUR SIR A. T. PANNIR SELVAM :—" With reference to the answer to clause (*b*) of the question, may I know whether what the Hon. Minister said describing the offence attributed to Ramaswami Nayakar about abetment of systematic and persistent annoyance and disturbance, etc., whether that wording has been taken from the charge framed against him, and if not, wherefrom this language been taken? "

THE HON. SRI S. RAMANATHAN :—" The charge sheet means that."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD :—" Sir, am I to understand that Mr. Ramaswami Nayakar actually picketed in front of the Theological High School, Georgetown? "

THE HON. SRI S. RAMANATHAN :—" The charge is that he abetted."

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RAO BAHADUR SIR A. T. PANNIR SELVAM:—"May I know whether Mr. Ramaswami Nayakar is a political prisoner or a non-political prisoner?"

THE HON. SRI S. RAMANATHAN:—"I informed the House on another occasion that there is no classification of prisoners as 'political' and 'non-political'."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"Are we not right in presuming then that the Government have been considering the question of release of political prisoners?"

THE HON. SRI S. RAMANATHAN:—"Release is different from classification."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"I am asking about the release of political prisoners."

THE HON. SRI S. RAMANATHAN:—"The Government consider the question of release of political prisoners on the merits of each case, but the question here relates to classification."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"If it is a case of release of political prisoners on the merits of each case, I am asking whether the Government are going to treat Mr. Ramaswami Nayakar as a political or a non-political prisoner."

THE HON. SRI S. RAMANATHAN:—"It does not arise now; it will arise only when we consider the question of release."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"I submit, Sir, that it is for you to decide whether the question arises now or not: it is not for the Hon. the Minister to decide it. My point is this: The Hon. the Minister talks of release of political prisoners. Is Mr. Ramaswami Nayakar a political or a non-political prisoner?"

THE HON. SRI S. RAMANATHAN:—"I submit, Sir, this question does not relate at all to release. It only relates to classification of the prisoner."

RAO BAHADUR A. T. PANNIR SELVAM:—"When did the Government place him in the 'A' class, Sir?"

THE HON. SRI S. RAMANATHAN:—"Recently."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"Have the Government passed orders to that effect, Sir?"

THE HON. SRI S. RAMANATHAN:—"Yes, Sir."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"Are the Government aware that Mr. Ramaswami Nayakar has been elected as the President of the next confederation of the Justice party, which is represented in this House by the main block of the opposition?"

THE HON. SRI S. RAMANATHAN:—"The hon. Member is better qualified to speak about it than myself."

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RAO BAHADUR SIR A. T. PANNIR SELVAM :—" Has the Hon. Minister information on this matter? "

MR. SPEAKER :—" That is why probably he has been placed in the ' A ' class."

RAO BAHADUR SIR A. T. PANNIR SELVAM :—" Are the Government aware that he has been elected as the President of the next confederation to be held at the end of this month? "

MR. SPEAKER :—" How does it arise on this question? "

RAO BAHADUR SIR A. T. PANNIR SELVAM :—" It arises in this way, Sir: whether Government are considering the advisability of enabling him to attend to this public work."

THE HON. SRI S. RAMANATHAN :—" I have read a report to that effect in the newspapers."

RAO BAHADUR SIR A. T. PANNIR SELVAM :—" The Hon. Minister may take it from me, Sir, that Mr. Ramaswami Nayakar has been elected as the next President of the confederation. Will the Hon. the Minister make him available to the Justice party for presiding over the confederation? "

THE HON. SRI S. RAMANATHAN :—" The Government will consider the question if any hon. Member makes a representation to that effect."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD :—" Sir, is this prosecution the result of the policy of Government to prosecute persons who are agitating against the compulsory introduction of Hindi in this Province? "

THE HON. SRI C. RAJAGOPALACHARIAR :—" There is no such policy of the Government, Sir."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD :—" Is it not a fact, Sir, that the prosecution of many people all these months and also of Mr. Ramaswami Nayakar is due to their agitation against the compulsory introduction of Hindi?

THE HON. SRI S. RAMANATHAN :—" He has also violated the law."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD :—" May I ask whether the prosecution is not the result of political agitation on the part of Mr. Nayakar? "

THE HON. SRI S. RAMANATHAN :—" My answer is that the conviction is not due to the agitation against Hindi, which is permissible. But in the course of this agitation against Hindi, this gentleman has violated the law. That is why action has been taken against him."

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Mr. SPEAKER :—" Will the Hon. the Minister read the charge itself for the benefit of the House? Perhaps that would avoid the necessity for all these supplementary questions."

The Hon. Sri C. RAJAGOPALACHARIAR :—" The charge is far too long, Sir. The question put by Mr. Bhakthavathsalu Nayudu was 'what offence he has committed.' The charge runs to two pages."

Sri B. BHAKTHAVATHSALU NAYUDU :—" Will the Hon. the Minister be pleased to state whether the Government were aware of the prosecution of Mr. E. V. Ramaswami Nayakar before the police laid the charge sheet against him? "

The Hon. Sri C. RAJAGOPALACHARIAR :—" I do not think, Sir, that the Government can answer such a question. The Government are aware that everything that their officers are doing is properly done."

Sri KALA VENKATA RAO :—" May I know, Sir, the meaning of the word 'Periyar'? "

Rao Bahadur Sir A. T. PANNIR SELVAM :—" It is something analogous to 'Mahama'."

Sri E. KANNAN :—" May I ask the Government whether Mr. Ramaswami Nayakar was some time before prosecuted for sedition, but the case was withdrawn on his tendering an unqualified apology? "

Mr. SPEAKER :—" I think that question does not arise."

Sri Diwan Bahadur A. APPADURAI PILLAI :—" May I know from the Hon. the Minister whether in view of the fact that the sentence of rigorous imprisonment has been commuted into one of simple imprisonment, the Government will consider the desirability of reducing the large fine of Rs. 1,000 on each count? "

The Hon. Sri C. RAJAGOPALACHARIAR :—" All these questions will be considered, Sir, in proper time; but I do not think that there is any likelihood of the Government getting the money at all."

Mr. SPEAKER :—" The House is now adjourned to meet again on the 17th January 1939, at 3 p.m."

APPENDIX I.

[Vide answer to starred question No. 518 asked by Sri Kala Venkata Rao at the meeting of the Legislative Assembly held on the 12th December 1938, page 790 supra.]

Statement of annual expenditure on conservancy works in the Godavari river for the years 1927–28 *to* 1937–38.

	RS.
1927–28	3,03,920
1928–29	3,39,165
1929–30	5,03,636
1930–31	5,85,978
1931–32	5,06,232
1932–33	3,60,827
1933–34	3,25,175
1934–35	3,54,639
1935–36	4,44,865
1936–37	4,52,908
1937–38	3,89,026

APPENDIX II.

[Vide answer to starred question No. 548 asked by Sri K. V. R. Swami at the meeting of the Legislative Assembly, held on the 12th December 1938, page 808 supra.]

G.O. Ms. No. 1097, P.H., dated 17th March 1938.

[Leprosy—Policy regarding admission of lepers to leper asylums—Resolution of the Madras Provincial Branch of the British Empire Leprosy Relief Association (Indian Council)—Accepted.]

The Government accept the recommendation of the Madras Provincial Branch of the British Empire Leprosy Relief Association (Indian Council) that in respect of admission of leper patients into the leper asylums (including Lady Willingdon Leper Settlement, Tirumani) patients falling under the following categories should be given preference over the rest :—

(1) Early cutaneous cases (infective) who are liable to pass on to more advanced stages unless given institutional treatment as soon as possible.

(2) Infectious cases whether early or late, in whose houses there are young children liable to be infected.

(3) Acute conditions needing hospitalization.

(4) Cases which need special investigation and study.

(5) All active cases among children whether open or closed, needing institutional treatment.

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2. The Surgeon-General is requested to issue the necessary instructions to the authorities in charge of leper institutions in the matter.

(By order of His Excellency the Governor)

C. H. MASTERMAN,
Secretary to Government.

To the Surgeon-General.
,, Director of Public Health.
,, Superintendent, Lady Willingdon Leper Settlement, Tirumani.

Copy to the Assistant Secretary, Madras Provincial Branch of the British Empire Leprosy Relief Association (Indian Council).

APPENDIX III.

[Answer to starred question No. 555 asked by Sri B. Bhakthavathsalu Nayudu at the meeting of the Legislative Assembly, held on the 12th December 1938, page 812 supra.]

" (*a*) The duties of the Lay Secretary in the Government General Hospital, Madras, are—

The Secretary and Treasurer will, under the Superintendent, be in charge of the non-technical organization of the administration of the hospital.

His duties will be as detailed below:—

(1) Review and scrutiny of account books of all stores—
(*a*) provision and other non-medical stores,
(*b*) medical stores, including accounts of the dispensary,
(*c*) furniture, crockery, etc.,
(*d*) bedding and clothing,
(*e*) electrical and other stores belonging to the mechanical section,

and test-check of such stores periodically and occasionally as found necessary.

He will exercise a particular check over the purchase and maintenance of valuable articles of furniture, hospital equipment, etc.

He will be responsible that correct methods of store keeping are adopted in the several stores, that no uneconomical issues of any stores are made and that all surplus stores are disposed of in time to the best advantage.

The Secretary and Treasurer should verify that the perishable stock register maintained by the steward is written up daily and contains a record of all perishable articles supplied by the contractor during the day.

(2) Checking and signing all indents for stores whether purchased departmentally or on contract.

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(3) Inspection of all supplies received. The check includes—

(*a*) Indents for drugs, etc., on the Medical Store Depot which are scrutinized by the medical officers of the hospital.

(*b*) Indents for special medicines, instruments, appliances, etc., from medical officers which are passed by the Superintendent.

In the matters technical, he may consult the Superintendent and take his advice.

(4) Scrutiny and check over the expenditure of—

(*a*) Non-diet articles in wards and departments.

(*b*) Articles such as dressings, lotions, thermometers, hypodermic syringes, etc.

He will bring to the notice of the Superintendent any wasteful expenditure of these articles.

(5) Charge of the hospital condemnation board. The board will meet once a week for disposal of all articles sent up for repairs, condemnation, etc., and cases of all breakages and losses reported from wards and departments.

The board will decide whether the articles are to be written off and replaced and whether the cost is to be recovered wholly or in part from those responsible. In the case of articles to be repaired, the board will specify the defects and the repairs required. Calling of estimates for the repairs or replacements and examination of the articles received after repairs will form part of the duties of the Secretary and Treasurer.

(6) Review and scrutiny of the cash receipts and payment ledgers and all other books relating to finance of the hospital including—

(*a*) Check of contingent registers and each item of payment.

(*b*) Check of bills and registers relating to hospital stoppages and other miscellaneous fees.

(*c*) Check of accounts relating to the maintenance and upkeep of the hospital ambulances.

(*d*) Scrutiny of all bills on the Accountant-General, financial returns, budget estimates, etc., before presentation to the Superintendent for signature.

The Secretary and Treasurer will be assigned the duty of signing cash receipts after verifying the credits in the cash book. At the end of the day when the cash is closed he will check all the entries made in the cash book during the day and verify the cash balance. After the day's transaction is over the cash will be deposited in a safe under double lock one key of which will be

retained by the Secretary and the other will remain with the cashier.

(7) Watch over the progressive expenditure of the appropriations placed at the disposal of the Superintendent and bringing to the notice of the Superintendent any abnormal expenditure that may lead to the appropriation being exceeded.

(8) Review of diet accounts and test checks of bed-head tickets with the steward diet sheets.

He will bring to the notice of the Superintendent any uneconomical issues of the diets or extras.

(9) Inspection of kitchens, supply and issue of milk and contractors' daily deliveries.

Note.—The inspection of the kitchens and diet articles from the medical and health point of view will be done by the Resident Medical Officer.

(10) Supervision of consumption of electric light and energy and also gas and water.

(11) Supervision from the financial aspect of the working of all machinery in the hospital.

(12) Work in connexion with the calling of tenders, auction and contracts for supplies to the hospital.

The Lay Secretary is allowed a consolidated salary of Rs. 300 per mensem in addition to his pension and is not given any other allowances.

(*b*) Brahman community.

APPENDIX IV.

[Vide answer to starred question No. 565 asked by Sri K. V. R. Swami at the meeting of the Legislative Assembly, held on the 12th December 1938, page 820 supra.]

Statement showing the various kinds of gun licences and the fee chargeable in respect of each licence.

Form of the licence.	Fees chargeable for grant of the licence.
(1) Form II (Licence for the import of arms, ammunition or military stores into a port).	(*a*) Where granted under rule 8 (*d*) of the Indian Arms Rules—*Free of all fee*; (*b*) Where granted under rule 9—*One rupee*; (*c*) In any other case—*Ten rupees*.
(2) Form III (Licence for the import of arms, ammunition or military stores by land or river).	(*a*) Where granted under rule 10 (1)—*Five rupees*; (*b*) Where granted under rule 10 (2)—*Free of all fee*.
(3) Form IV (Licence for the export by sea of arms, ammunition or military stores from one port to another).	(*a*) Where granted under rule 15 (2) (*a*) to (*d*)—*Ten rupees*; or, in the case referred to in rule 46 (2)—*One rupee*; (*b*) Where granted under rule 15 (2) (*e*)—*Free of all fee*.

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Form of the licence.	Fees chargeable for grant of the licence.
(4) Form V (Licence for the export by sea of arms, ammunition or military stores from one port to another).	Five rupees.
(5) Form VI (Licence for the export by land or river of arms, ammunition or military stores to an Indian State).	Do.
(6) Form VII (Licence for the transport of arms, ammunition or military stores).	Ten rupees.
(7) Form VIII (Licence for the import, transport and re-export/export and re-import of arms, ammunition or military stores).	Do.
(8) Form IX [Licence to manufacture, convert, sell or keep for sale, arms, ammunition or military stores (other than breech-loading rifles, rifle ammunition or military stores for rifles)].	Twenty rupees.
(9) Form X (Licence to sell and keep for sale, arms, ammunition or military stores (other than breech-loading rifles, rifle ammunition or military stores for rifles)].	Ten rupees.
(10) Form XIII (Licence for the possession by holders of licences in Form IX, X, XI or XII of firearms and ammunition deposited by their owners for safe keeping).	Free of all fee.
(11) Form XIV [Licence for the possession of arms (other than pistols or revolvers), ammunition or military stores].	Do.
(12) Form XV (Licence for the possession and use, for the purpose of target practice, of firearms and ammunition).	(a) For each breech-loading pistol or revolver—Ten rupees ; (b) For any other breech-loading weapon—Five rupees ; (c) For other weapons—Eight annas *in disarmed districts*, and *Four* annas elsewhere, for each weapon.
(13) Form XVI (Licence for the possession of arms and ammunition and for going armed for the purposes of sport/protection/display).	(a) For a breech-loading pistol or revolver—*Ten rupees* ; (b) For any other breech-loading weapon—*Five rupees* ; (c) For other weapons—*Eight annas* in disarmed districts and *Four annas* elsewhere.
(14) Form XVI-A (Licence for the possession by a retainer of arms and ammunition and for going armed for the purpose of sport/protection/display).	Free of all fee.
(15) Form XVII (Temporary licence for the possession of arms and going armed during the period occupied in journeying from the port or other place of arrival in British India to place of destination.)	Fee for each weapon—one rupee.
(16) Form XVIII (Licence for the possession of arms and ammunition and for going armed for the destruction of wild animals which do injury to human beings or cattle).	Free of all fee.
(17) Form XIX (Licence for the possession of arms and ammunition and for going armed for the destruction of wild animals doing injury to crops or cattle).	Do.

Form of the licence.	Fees chargeable for grant of the licence.
(18) *Form XX* (*Licence for going armed on a journey in or through any Province*).	(i) When granted under rule 37 (1) (*a*) and (*b*) of the Arms Rules—Four annas for each weapon. (ii) When granted under rule 37 (1) (*c*)—Free of all fee. *Exception*—A fee of *ten rupees* is charged for a licence in this form in respect of a pistol or a revolver in all Provinces other than the North-West Frontier Pr vince.

APPENDIX V.

[*Vide* answer to starred question No. 572 asked by Khan Bahadur Mahmud Schamnad Sahib Bahadur at the meeting of the Legislative Assembly held on the 12th December 1938, page 823 *supra*.]

Statement I.

Statement showing the grants and loans given to the district and taluk boards together during two years prior to the abolition of taluk boards and those given to district boards during the years after the abolition.

		Loans (including advances to cover deficits).	Grants. (*a*) For ordinary purposes, i.e., maintenance of roads, schools, medical institutions, etc.	Grants. (*b*) *For capital works.*
		IN LAKHS OF RUPEES.	IN LAKHS OF RUPEES.	IN LAKHS OF RUPEES.
Prior to the abolition of taluk boards	1932–33	5·80	115·53	28·38
	1933–34	2·93	118·82	25·11
After the abolition of taluk boards	1934–35	1·69	115·56	18·02
	1935–36	3·23	114·25	17·31
	1936–37	2·97	120·61	23·47
	1937–38	1·48	113·52	14·00

Statement II.

List of district boards which have deficit budgets now.

District board.	Amount of deficit under the General Account—Ordinary according to the Budget Estimate for 1938–39.
Malabar	* —21,330
North Arcot	† —18,700

* The Board has applied for a compassionate grant of an advance of Rs. 1,00,000 and the question is under consideration.

† The Board has applied for an advance of Rs. 1½ lakhs and it is separately under consideration.

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